UNITED
NATIONS

CRC

Convention on the
Rights of the Child

Distr.
GENERAL

CRC/C/SR.670
1 June 2001

ENGLISH
Original: FRENCH

COMMITTEE ON THE RIGHTS OF THE CHILD

Twenty-sixth session

SUMMARY RECORD (PARTIAL)* OF THE 670th MEETING

Held at the Palais Wilson, Geneva,
on Monday, 8 January 2001, at 10 a.m.

Chairperson: Ms. OUEDRAOGO

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OPENING OF THE SESSION

ADOPTION OF THE AGENDA

SUBMISSION OF REPORTS BY STATES PARTIES

* No summary record was prepared for the rest of the meeting (closed).

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GE.01-40085 (E) 200301 010601

The meeting was called to order at 10.10 a.m.

OPENING OF THE SESSION

1. The CHAIRPERSON declared open the twenty-sixth session of the Committee, which was also the first session of the twenty-first century and of the third millenium. The end of the previous century had been marked by numerous violations of human rights, in particular the rights of the child, and the vulnerability of children had increased over the last 20 years. In order to strengthen the legal provisions that existed but were still insufficient, a special session of the General Assembly devoted to children would be held in New York in September 2001. Its purpose would be to examine the progress accomplished over the last 10 years and to adopt plans and programmes calculated to serve the best interests of children. Issues relating to children would also be discussed at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance and the second World Congress against Commercial Sexual Exploitation of Children. The results of those meetings would be very important for the Committee and would help it to monitor the implementation of the Convention in the various States parties. During the session, the Committee would consider nine country reports and would continue discussions on its first general comment on education.

ADOPTION OF THE AGENDA (item 1 of the provisional agenda) (CRC/C/101)

2. The agenda was adopted.

SUBMISSION OF REPORTS BY STATES PARTIES (agenda item 3)

3. Mr. DAVID (Secretary of the Committee) said that, since the Committee's previous session, initial reports had been received from Saint Vincent and the Grenadines and Niger. That brought the total number of reports received to 199, including 155 initial reports and 44 periodic reports. The Committee had considered 141 reports; 39 initial reports and 97 periodic reports due to have been submitted had still not been received.

The discussion covered in the summary record ended at 10.20 a.m.

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Distr.
GENERAL

CRC/C/SR.671
5 June 2001

ENGLISH
Original: FRENCH

COMMITTEE ON THE RIGHTS OF THE CHILD

Twenty-sixth session

SUMMARY RECORD OF THE 671st MEETING

Held at the Palais Wilson, Geneva,
on Tuesday, 9 January 2001, at 10 a.m.

Chairperson: Ms. OUEDRAOGO

CONTENTS

CONSIDERATION OF REPORTS OF STATES PARTIES

Initial report of Latvia

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GE.01-40123 (E) 270401 050601

The meeting was called to order at 10 a.m.

CONSIDERATION OF REPORTS OF STATES PARTIES (agenda item 4)

Initial report of Latvia [CRC/C/11/Add.22; CRC/C/Q/LAT/1 (list of issues); written replies of Latvia (document without a symbol distributed during the meeting in English only); CRC/C/LAT/1 (country analysis)]

1. At the invitation of the Chairperson, Mr. Kārkliņš, Ms. Ielīte, Ms. Maļinovska, Mr. Sakss, Mr. Vasiljevskis, Ms. Čabe, Ms. Podziņa, Ms. Ližbovska and Mr. Jansons (Latvia) took places at the Committee table.

2. Mr. KĀRKLIŅŠ (Latvia) said that the initial report, which should have been submitted in 1994, when Latvia was in the very early stages of the legislative reform undertaken against a background of profound economic and political transformations, had been drafted with the participation of public institutions, municipalities, non-governmental organizations (NGOs) and also children themselves. The report described the situation as it was in 1998. Following the re-establishment of Latvia's sovereignty in 1991, after 50 years of illegal Soviet rule, one of the first decisions taken by Parliament had been to accede to the Convention on the Rights of the Child, thus illustrating the importance that Latvia attached to the welfare of children. The parliamentary Sub-Commission for the Protection of Children's Rights and the inter-ministerial Commission for the Protection of Children's Rights had been established in 1994, then the Children's Rights Protection Centre had been established in 1995 under the auspices of the Ministry of Education and Science. The municipal courts responsible for the custody and guardianship of children had come into operation in 1997. In 1998, Parliament had adopted the law on the protection of the rights of the child which defined the specific rights of children and how they should be protected.

3. In 1999, the Government had adopted the programme to improve the situation of children and a children's forum had been established at the school, municipal and national levels. Lastly, the Government has initiated the internal procedure for acceding to the Optional Protocols on Involvement of Children in Armed Conflict and the Sale of Children, Child Prostitution and Child Pornography, respectively, which should be concluded in the course of 2001.

4. Non-governmental organizations (NGOs) were playing an increasingly active role in defining measures to protect the rights of the child. They included, the Latvian Children's Fund, Save the Children-Latvia, the Centre against Child Abuse, the Educational Centre for the Family and School and the NGO network for street children.

5. Unfortunately, the needs were far greater than the possibilities, particularly since Latvia had undergone difficult and, at times, painful economic and social transformations over the past ten years. Much more needed to be and could be done in different fields but social development was largely dependent on economic development.

6. Ms. TIGERSTEDT-TÄHTELÄ observed with satisfaction that the written replies of the State party reached the Committee promptly and gave a good overview of national legislation on the rights of the child. However, it would have been preferable if the State party had not merely enumerated the many legislative and administrative measures adopted since the ratification of the Convention, but had indicated exactly how it had implemented them and the obstacles it had encountered. Furthermore, the Committee did not have translated texts of the numerous laws mentioned in the report and was therefore unable to evaluate their scope. Consequently, it still had relatively little information on the real situation of children on the ground in Latvia and had to refer to information provided by other conventional bodies and national organizations. The extremely active role played by NGOs in monitoring the implementation of the Convention was to be welcomed, but it was unfortunate that the report contained no information on the way in which the State itself was raising public awareness of the Convention, whereas that was one of the fundamental goals of the instrument.

7. Since the State party had ratified several of the conventions of the Council of Europe, she asked whether it had enacted a law on both national and intercountry adoption. As the Children's Rights Protection Centre had a very extensive mandate, she would like to know what its priorities were and how it established them. How was coordination ensured both within the Centre and with the different ministries and was it the ministries which made proposals to the Centre or the contrary?

8. Lastly, it would be interesting to know how the budget was established for the Centre and, in general, for the sector related to children, and how the State party met the obligation set out in article 4 of the Convention to take all necessary steps, to the extent of the available resources, to permit the exercise of economic, social and cultural rights. In that connection, she asked whether the municipalities had the right to impose taxes and what was being done to increase the tax revenue, because Latvia was known for having one of the lowest income taxes in the region and because, in poor countries, valued added tax (VAT) was an insufficient source of revenue.

9. Mr. FULCI said that he would like to know what the delegation thought of the statement by Save the Children-Latvia that many of the laws adopted since the ratification of the Convention in 1992 were not fully in conformity with the obligations arising from it. He wondered whether it could provide concrete examples of cases in which the provisions of the Convention had been invoked before the courts. Since previous Latvian Governments had decreased public expenditure for children and the current Government had not asked for assistance from any of the international aid programmes for the former Communist bloc States, it would be useful to have some exact figures on the current budget.

10. Observing that Save the Children-Latvia had published the text of the Convention in three versions for three different age groups of children, and also in an annotated version for those who worked with children, he asked what the Government had itself done to disseminate the instrument.

11. Mr. DOEK asked why the Commission for the Protection of Children's Rights had been reorganized in 1998, whether its statutes had been modified on that occasion and whether the Children's Rights Protection Centre was its executive body. Were the inspectors for the protection of children's rights, mentioned in the written replies, attached to the Centre? What was the extent of the independence of the regional centres mentioned in the initial report and to which central body were they attached? What was the precise role of the Division of Children and Family within the Department of Social Aid and were its spheres of activity completely distinct from those of the Children's Rights Protection Centre? A draft law aimed at creating a post of children's ombudsman had been rejected on the grounds that the National Human Rights Office was to monitor the situation of children. In actual fact, however, it appeared that the Centre was performing that task, although it did not have the required independence of the Government, which the Committee had so often insisted upon.

12. Regarding the implementation of article 4 of the Convention, he had noted that the percentage of the State budget devoted to education was low in relation to that of the budget of the municipalities whereas, in the area of health care, the situation was reversed. Did that mean that education came under the municipal authorities while health services were centralized? If the municipalities were responsible for education, what criteria governed the State's budgetary allocations? Lastly, he would like the Latvian delegation to indicate the percentages of gross national product (GNP) devoted to education and health services respectively.

13. Ms. KARP expressed great concern at the fact that 85 per cent of Latvian children lived below the poverty line, which was an evident obstacle to the implementation of the Convention, and emphasized that concrete measures should thus be adopted urgently, accompanied by the required human and financial resources. She was surprised that the Children's Rights Protection Centre, which came under the Ministry of Education and Science, should be responsible for monitoring the activities of other ministries. Did the members of the Centre include representatives of the Ministries of Justice and the Interior? What were the principal topics of the annual report that the Centre had to submit to Parliament?

14. Regarding rehabilitation programmes for children who had been victims of sexual exploitation, she asked whether the adoption of Regulation 208 of the Cabinet of Ministers and Order 409 of the Ministry of Welfare had been accompanied by the allocation of the budgetary resources needed for their application.

15. She would like to know whether the Latvian authorities were thinking of reforming the whole system of statistical data collection in order to overcome the problems encountered, which ranged from a total absence of data in some areas to ignorance of the indicators existing in others. Lastly, how did the State exercise its responsibility to protect children's health when a child decided to follow a medical treatment without having obtained the consent of its parents?

16. Ms. RILANTONO asked whether there was a mechanism that allowed NGOs to play an active role in both the formulation and execution of children's programmes within the Commission for the Protection of Children's Rights or the Children's Rights Protection Centre. In view of the sizeable GNP of Latvia, as compared with that of developing countries, she

was astonished to see that public expenditure on health and education represented less than 20 per cent of the State budget and wondered whether the authorities intended to increase social expenditure.

17. The CHAIRPERSON asked whether the Children's Rights Protection Centre, responsible for coordinating the work of the national and municipal institutions, was also responsible for elaborating programmes and defining priorities at the level of each municipality. How were the activities of the working groups in charge of reviewing the guarantees that existed in the area of the protection of the child coordinated?

18. Ms. MOKHUANE said she would like to know whether Latvia intended to ratify International Labour Organization (ILO) Conventions 138 and 182 on the minimum age for admission to employment and the worst forms of child labour, respectively, and also the Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption. How did the Latvian Government plan to eliminate the regional disparities that prevented all the country's children from enjoying the same rights? In its opening statement, the delegation had deplored the ineffectiveness of certain structures and, in that regard, the Committee would appreciate details on the financial and human resources of the various ministries. What was the exact role of the Ministry of Social Welfare?

19. Mr. KĀRKLIŅŠ (Latvia) said that the Children's Rights Protection Centre was one of a group of organizations supervised and partly financed by the ministries but enjoying some independence in the exercise of its responsibilities. With regard to the economic situation, following the break up of the Soviet Union, Latvia's GNP had decreased by 50 per cent during the four years following its accession to independence but the economy had since been restructured and the GNP had been growing by between 5 and 6 per cent per annum.

20. As a tool available to the Government to promote sustainable economic growth, the tax system needed to be improved; tax pressure (in particular, corporate tax, income tax and VAT) was established in terms of the economic and industrial development objectives. Each year, the Ministry of Finance established the budgets of the various ministries in the light of the priorities that had been defined for the year in question - the priorities for 2001 were defence and education. The budgetary resources were then redistributed to the municipalities, under the control of the Ministry for Regional Cooperation, according to a complex system, which again took into account the priorities of public policy.

21. There were indeed some marked regional disparities in Latvia; 1 million of the country's 2.4 million inhabitants lived in the region of Riga, which had become a major economic, commercial and industrial pole over the last 10 years. Aware of the need to restore the balance, the Government was carrying out a regional development policy with financial support from the European Union under the PHARE programme.

22. The education and health budgets represented 6 per cent and 4 per cent respectively of GNP. When the benefits paid out under the headings of social security and pensions were included, the social sector budget amounted to 20 per cent of GNP. The percentage of elderly people in Latvia was high and the cost of pensions was such that the Government could not devote as much resources as necessary to other sectors.

23. There was still much to be done to combat poverty and the gap between rich and poor was widening. A statistical study had shown that 20 per cent of Latvians were wealthy and 20 per cent destitute, while the rest of the population had incomes that enabled them to live decently. The Government was aware of the extent of the problem and was currently working on a programme to combat poverty that would establish the broad outlines for its action in that area; the programme should be adopted during the first half of 2001.

24. Ms. MAĻINOVSKA (Latvia) said that, in cases of conflict between an international agreement, such as the Convention on the Rights of the Child, and domestic legislation, the international agreement prevailed. International agreements entered into force from the moment of their ratification and it was not necessary to pass a law to make them effective. Latvia was a party to the European Convention on the Adoption of Children and the Convention concerning the Powers of Authorities and the Law applicable in respect of the Protection of Infants. Latvia was in the process of ratifying a number of international agreements which it had already signed: the European Convention on the Exercise of Children's Rights, the European Convention on Recognition and Enforcement of Decisions concerning Custody of Children and on Restoration of Custody of Children, the European Convention on the Legal Status of Children Born out of Wedlock, the Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption, and the Hague Convention on the Civil Aspects of International Child Abduction. Once those instruments had been ratified, Latvia would be party to the main international conventions on the rights of the child.

25. Ms. IELĪTE (Latvia) explained that the Children's Rights Protection Centre was a public body that had been created to allow children to express their opinions and report any violation of their rights, among other matters. Since it had been restructured in 1998, the Centre was composed of a legal department responsible for harmonizing the existing legislation, a department responsible for monitoring social assistance, and an information and education department. The director was nominated by the Ministry of Education and Science and ratified by the Cabinet of Ministers. Children could report any violations of which they were victim to the members of the staff of the Centre, who counselled them and explained to them their rights and the provisions of the relevant domestic legislation and the Convention on the Rights of the Child, and informed the office of the public prosecutor, if appropriate. When urgent social assistance was required, the child was taken into the care of specialists from the department responsible for monitoring social assistance or by NGOs. In the framework of their monitoring functions, the Centre's staff members regularly inspected schools, boarding schools, orphanages, and crisis centres, and took immediate action if violations of the rights of the child were observed. In order to ensure maximum protection, the Centre also took into consideration information on children provided by other persons: neighbours, relatives, teachers or school directors.

26. Since 1999, a special questionnaire on children had been attached to the national statistical questionnaire which was distributed to all communes. The Centre was currently able to publish an annual national report on the following aspects of the situation of children: education, cultural and leisure activities, health, work, social assistance, violence against children and juvenile delinquency. The report was addressed to Parliament and to the Ministers, to NGOs and to local communities. Since it had been restructured, the Centre had to submit two

reports to Parliament each year. Cooperation with the various local authorities and NGOs was decisive for raising public awareness on matters relating to the rights of the child; the Centre had therefore distributed the Convention on the Rights of the Child widely, even before its reorganization, and it appeared on the Web sites of its many partners. Moreover, the text was systematically reproduced in the documentation distributed at seminars and congresses for social workers, teachers and school directors.

27. In 1999, the Ministry of Education and Science had organized a national week on children's rights, in collaboration with the National Committee for the United Nations Children's Fund (UNICEF), local communities and partner organizations. In 2000, another event had been organized: the children's forum, at which children had discussed the implementation of the Convention and subjects ranging from health, to education, social assistance and recreational activities. The youngest children had taken part in a drawing competition while the adolescents had attended meetings with the administrative staff of their schools and were able to meet local politicians to discuss the budgets allocated to children. The local officials then made proposals to the children based on their concerns.

28. The Centre collaborated closely with NGOs and met about 30 of them once a month to examine questions raised by children or by the NGOs themselves. It arranged for experts and representatives of the different ministries to participate and explain the policies they were planning to implement, so that the NGOs could work more effectively in their respective spheres of competence. Lastly, the Centre was responsible for directing the work of the inter-ministerial Commission for the Protection of Children's Rights and its most important task was to formulate recommendations to individuals and companies, local authorities and the central Government.

29. Mr. SAKSS (Latvia) said that, in 1999, the total budget for education represented 7.3 per cent of GNP, which was reasonable in terms of OECD statistics. According to the most recent research conducted by international agencies, the quality of education was slightly below average; a great deal still remained to be done. About three-quarters of the education budget was administered by the local authorities and was used to cover the salaries of teachers and technical and administrative staff, and also the operating expenses of the educational establishments. The local authorities had considerable autonomy to distribute the resources between the different establishments as they saw fit, to ensure that they operated as effectively as possible.

30. Ms. ČABE (Latvia) said that public expenditure on health represented 18.3 per cent of GNP in 1999, as compared to 12.5 per cent in 1992. The financing of the compulsory health insurance was ensured by a central public body that concluded agreements with the regional sickness funds in order to ensure the reimbursement of essential medical care. Those who wished could subscribe to private health insurance, so as to be protected against risks that were not covered by the compulsory insurance.

31. The law on medical care provided that a patient, his or her parents or legal representative could freely choose his or her doctor and also the establishment where he or she wished to be treated. Under article 23 of the law, any patient could refuse to submit to an examination or

receive treatment if he or she signed a release form. In that case, the doctor had to explain the consequences of the refusal to the individual concerned, his or her parents or legal representative.

32. When a person's life was in danger and it was not possible to obtain his or her consent or that of his or her family or legal representative, the doctor was authorized to provide him or her with the necessary care. A draft law on health protection, which was currently under consideration, would guarantee access to health care to all, particularly those who were unable to defend their rights and protect their own interests. In any case, a child's opinion was taken into account, with due regard for his or her age and maturity.

33. Ms. MAĻINOVSKA (Latvia) said that, following the 1993 Vienna World Conference on Human Rights, and under a national programme for the protection and promotion of human rights drawn up in cooperation with the United Nations, Latvia had been one of the first countries to establish a National Human Rights Office; the independence of the Office was guaranteed by law and it also looked after children's rights. Currently, there was a national debate on the possibility of creating various ombudsman positions, one of which would be especially responsible for children's rights.

34. Mr. DOEK asked whether it was true that the right of children to be heard in any procedure that concerned them, particularly with regard to adoption, had not been fully respected and how the principle of the best interests of the child was applied when families were evicted because the parents were no longer able to pay the rent. Since birth registration was not free of charge, it would also be interesting to learn what steps had been taken to ensure that all births were registered. He would also like to know what Latvia was doing in the case of foreign or stateless children, since the Committee on the Elimination of Racial Discrimination was concerned about their situation. Lastly, it would be interesting to know what procedure was used to ensure that children in institutions or in pre-trial detention could report any violence against them, without fear of reprisals.

35. Ms. TIGERSTEDT-TÄHTELÄ asked who was responsible for supervising the operation of establishments for children and whether children who were victims of violence could make a complaint to the competent courts.

36. Mr. FULCI said that he would like to know whether it was true that 600,000 persons, or 25 per cent of the population, were stateless and whether, under a recent amendment to the law on citizenship, all children born on Latvian territory since independence in 1991, would obtain Latvian nationality. He asked the Latvian delegation to indicate whether the Soviet practice of recording a person's ethnic group on his passport was still in force.

37. Ms. RILANTONO asked what the success rate was for the language examinations in Latvian, which all persons desiring to obtain Latvian nationality had to pass.

38. Ms. KARP wished to know whether the Children's Rights Protection Centre had branches in the different regions, what proportion of children had access to Internet, particularly in educational establishments, and whether minors could consult a doctor or a psychologist on matters concerning their sexuality or contraception without the consent of their parents. Were

information campaigns organized for parents and teachers to convince them to use methods other than corporal punishment, which, incidentally, was prohibited by law? Was any violence against students by their teachers investigated promptly and was it punished? Were measures taken to convince parents not to read their children's correspondence or listen to their telephone conversations and was it true that it was not easy for those who were not nationals to obtain a passport, thus making it difficult for them to travel abroad?

39. Ms. MOKHUANE asked whether some form of control had been organized to ensure that the law prohibiting the sale of alcohol to children under 18 years of age was enforced and whether free immunization campaigns were being considered to eliminate tick fever, which was very common in the country.

The meeting rose at 1 p.m.

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Distr.
GENERAL

CRC/C/SR.672
15 January 2001

Original: ENGLISH

COMMITTEE ON THE RIGHTS OF THE CHILD

Twenty-sixth session

SUMMARY RECORD OF THE 672nd MEETING

Held at the Palais Wilson, Geneva,
on Tuesday, 9 January 2001, at 3 p.m.

Chairperson: Ms. OUEDRAOGO

CONTENTS

CONSIDERATION OF REPORTS OF STATES PARTIES (continued)

Initial report of Latvia (continued)

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GE.01-40127 (E)

The meeting was called to order at 3 p.m.

CONSIDERATION OF REPORTS OF STATES PARTIES (agenda item 4) (continued)

Initial report of Latvia (continued) (CRC/C/11/Add.22; CRC/C/Q/LAT/1; written replies of the Government of Latvia to the questions in the list of issues (document without a symbol distributed in the meeting room in English only))

1. At the invitation of the Chairperson, the delegation of Latvia took places at the Committee table.

2. Mr. KĀRKLIŅŠ (Latvia), replying to Committee members' questions concerning citizenship and naturalization, said that Latvia's legislation on citizenship took account of the recommendations of various international human rights bodies, including the Office of the United Nations High Commissioner for Human Rights (OHCHR), the Council of Europe and the Organization for Security and Cooperation in Europe (OSCE), all of which had acknowledged that it conformed to democratic and human rights standards.

3. The law effectively re-established Latvian citizenship for all those who had had Latvian nationality in 1940, the year the Soviet occupation had begun, and their descendants. During the Soviet period, many people had been brought into Latvia: indeed, by 1990, Latvians had been virtually a minority in their own country. However, the Latvian Government had no intention of asking those people to leave the country, considering them victims of Soviet policies. The approach adopted was rather one of integrating them into Latvian society by naturalization - an enormous undertaking, unique in its scale.

4. Currently some 568,000 people were under Latvian law, not Latvian citizens. However, they were not stateless persons but had the specific status of "Latvian non-citizens". Under Latvian constitutional law, they enjoyed the same economic, social, political and cultural rights as Latvian citizens, except that they could not vote or stand for elected office. At the same time, they had none of the obligations of Latvian citizens, including that of military service. Unlike stateless persons, they enjoyed the full protection of the State.

5. The main aim was to encourage non-citizens to apply for naturalization. Under the legal framework for naturalization, applicants must be able to speak Latvian, know something of Latvian history and the national anthem, and must sign a declaration of loyalty. The language and history examinations had been revised several times in cooperation with Council of Europe experts and well over 90 per cent of candidates passed the first time. As of 8 January 2001, 41,700 applications had been submitted, of which some 6,000 were from minors, and 38,800 had been approved, including more than 5,000 from minors.

6. Arguably, the numbers of non-citizens were rather high, but the intention was not to enforce naturalization. The hope was that non-citizens would decide for themselves to become fully-fledged members of society. The number of applications was increasing, having risen from 4,500 in 1998 to just under 16,000 in 2000.

7. In answer to Ms. Karp's question on passports and the right to freedom of movement, he said that the Ministry of the Interior's Passport Centre worked three shifts in order to provide passports to all who applied. Both citizens' and non-citizens' passports were recognized by all States throughout the world; the only difference was that some States admitted Latvian citizens without a visa, but not Latvian non-citizens. Latvia had tried unsuccessfully to convince those States to admit all its residents on the same basis.

8. The problem of discrimination referred to might have been related to the exchange of former Soviet Union passports. Some 20,000 people had failed to exchange their Soviet Union passport for Latvian papers by the deadline set by the Government. The Government had twice extended the deadline. If any had subsequently failed to exchange their documents, that could not be blamed on discrimination by the Government.

9. The Government was aware that the heading "nationality" or "ethnicity" in passports could be considered discriminatory. A new citizens' passport was currently in preparation, and a final decision had yet to be taken on whether to continue to include that heading.

10. With regard to the Citizenship Law's provisions for children, all children born in Latvia after 21 August 1991 were granted Latvian citizenship at their parents' request, or at their own request if they were over 15. To date, 531 children had been granted citizenship under that provision.

11. In reply to Mr. Fulci's question regarding the decision-making process, he said that there were two kinds of regulations: those issued by the Cabinet of Ministers, which were generally fully binding, including on municipalities; and those issued by individual ministries, which were binding on those State institutions for which each ministry was specifically responsible, but which for other institutions had the status of recommendations.

12. With regard to statistical data, he said that Latvia was developing its statistical system in accordance with European Union standards. By 2003 it would be fully compatible with the European Union system.

13. Ms. IELĪTE (Latvia) said that, under the Law on Protection of the Rights of Children, the Central Statistical Bureau (CSB) was obliged to submit data on children in Latvia annually to the National Centre for the Protection of the Rights of the Child. The first compilation of data specifically on children had been published in 2000 and distributed to local government, children's rights organizations and other partners.

14. The main task of the custody courts was to protect children's rights by intervening, together with police and social services, in conflicts with parents where a child was in danger; protecting children's property from misuse by parents or guardians and safeguarding their well-being in cases of abuse by finding alternative care. They also monitored children in institutional care. Custody court decisions could be appealed by the child either to the court itself or to the district court.

15. Custody courts existed in every municipality. Members of the court were always fully qualified to deal with children's issues; they always numbered at least three, but the actual number was decided by each local authority having regard to the number of inhabitants in the area.

16. In reply to a question on the accessibility of the National Centre for the Protection of the Rights of the Child, she said that a joint campaign had been carried out with UNICEF to provide every child over the age of 12 with a card explaining how to contact the Centre. Special callback arrangements existed for children who did not wish to phone the Centre from their own homes, for example.

17. Booklets on how children could avoid dangerous situations had been published in Latvian and Russian. Teachers were encouraged to avoid using violence in school and to recognize possible cases of abuse. Schools were provided with a free manual giving relevant phone numbers and addresses. Specialists were sent out on request to address schools or school councils, even if an institution did not have the funds to pay for that service.

18. With regard to children's right to be heard, she said that every child over seven years of age involved in a parent-child or parent-parent conflict must be heard by the custody court; in adoption cases, children were consulted from the age of 7 and must give written consent from the age of 12; in cases of change of citizenship, children over the age of 14 must give written consent. In institutional terms, student councils existed in schools and cultural institutions, and the Ministry of Education and Science had concluded an agreement with the Latvian Youth Council, the Latvian School Students' Council and the Latvian Students' Council obliging the Ministry to discuss and provide information on issues regarding schoolchildren and youth organizations.

19. The Centre had received more than 2,000 complaints in 2000, including in particular from children whose families were threatened with eviction. In such cases, the Centre established a dialogue with the local authority, the custody court and social services in order to resolve the problem. The administrative procedures required children's interests to be taken into account.

20. On the subject of assistance to children in economic difficulties, she said that one aim of the Ministry of Education and Science campaign "School is waiting for you" conducted in 1997-1998, had been to provide assistance through local authorities and NGOs for families who lacked resources for school books, etc.

21. Latvia was one of the few countries with legislation prohibiting corporal punishment. It promoted child-friendly educational methods and tried in various ways to promote parents' awareness of the issue. Social workers who realized that parents were using corporal punishment were obliged to work with them to help them stop doing so.

22. Penalties for the sale of alcohol to minors ranged from a fine of about US$ 100 to withdrawal of the licence to sell alcohol.

23. Children's right to privacy was enshrined in law. If the police, for example, acting on information received or because they suspected the child was in danger, entered a child's room without the child's or guardian's permission, they were obliged to report that fact to the prosecutor's office within 24 hours.

24. Ms. ČABE (Latvia) said that, in Latvia, it was obligatory to register births within one month and there was no charge. If the parents were dead or unable to register the birth for any other reason, it should be registered by the maternity nurse, the doctor or any other person who had participated in the birth. According to instructions from the Ministry of Welfare, if a child was born in a state, municipal or private hospital, it was the duty of the manager of the institution to register the birth on a special form. If no one registered a birth and the municipality had information about it, it was required to provide that information in writing to the registry office. Therefore, nearly all births were registered.

25. Mr. DOEK, referring to the issue of juvenile justice, said that there appeared to be four correctional institutions for boys and one for girls. He would be interested to know whether all the facilities had permanent staff, who were in contact with the inmates every day, whether social rehabilitation was attempted, and to whom inmates could make known any complaints. The most common problem appeared to be the extensive time taken for pre-trial investigations which in principle should not exceed two months, but in practice went on longer for different reasons, such as the courts' heavy workload.

26. Ms. TIGERSTEDT-TÄHTELÄ, referring to family environment and alternative care, asked why the number of children in institutional care had risen from 3,289 to 3,637 between 1997 and 1999. It would also be interesting to know whether the custody courts or any other institution provided support to families undergoing difficult situations with their children.

27. The meaning of the term "boarding schools" required clarification, since it appeared to refer to schools for poor children and there had been an increase in pupils attending such schools; it was unclear whether that was good or bad. She asked whether the custody courts were involved in the decision to send a child to boarding school and whether it involved a merely temporary separation from parents.

28. With regard to education in general, there had been a census in Latvia in 2000, and it would be interesting to know whether the results had shown an increase in population and whether there were currently more children under 18 years of age, or fewer. School attendance was 82.7 per cent for the year 1999-2000, which was lower than the figure for the previous year; did that mean that 20 per cent of children did not attend school at all? The written replies mentioned that 9,572 students had been excluded in 1999-2000; however, it was unclear on what grounds children were excluded and why the number was so high. It would be useful to know whether Latvia had conducted research on non-attendance to see whether it was higher in rural, urban or minority areas.

29. Mr. DOEK, referring to article 18 of the Convention, said that the Committee would welcome information on social services for families in need. According to the report a system existed but allowances covered only a small proportion of needs, especially in the case of single mothers with several children.

30. Some children were ending up in institutions or on the street. The numbers of street children varied according to the source, but it would be useful to know whether specific programmes had been established for them and whether the problem existed only in Riga or elsewhere too. Children were in institutions, and also in foster care or adopted. According to the delegation's written replies, the total number of children to whom guardianship was provided was 7,657 in 1998 and nearly 7,902 in 1999, which gave a total of over 15,000 children in two years. Additional information on what guardianship signified would be useful. Did the term "foster family" refer to children being taken in by the extended family or were some people paid to raise other people's children?

31. With regard to domestic adoption, he wished to know whether the Government had carried out activities to encourage Latvians not only to foster but also adopt Latvian children Pending the enactment of legislation on intercountry adoption, how were the courts dealing with the situation? There appeared to be a significant number of older children being adopted abroad, despite the increased difficulties of integrating older children into a new home and the greater possibility of abuse. Was the Government controlling the situation in any way?

32. There were no clear figures on sexual or any other type of abuse of children within the family. He would appreciate further information on the treatment of child victims, as there was a concern that the legal system was not child-friendly. It might be necessary to reform it to ensure that children were not subjected to repeated questioning by the different authorities.

33. There were instances of children being kept in pre-trial detention for up to two or three years, which was a gross violation of the rights of the child. Latvia should consider introducing a rule whereby any child kept in pre-trial detention for more than three months would automatically be freed.

34. Mr. FULCI said that according to an NGO, the Focal Point against Sexual Exploitation of Children, there were between 15,000 and 25,000 street children in Latvia. In 1998, the Latvian Parliament had enacted the Law on Protection of the Rights of Children but there was no specific implementation mechanism. He would welcome the delegation's comments on those figures and on how the law was being implemented.

35. With regard to basic health and welfare, the 1997 Medication Law stated that every doctor was responsible for preserving the life of an unborn child, if pregnancy was not harmful to either the mother or the child, and that doctors had the right to refuse to perform abortions if there were no medical reasons for doing so. However, the figures given for pregnancies of adolescents between 15 and 19 years of age, showed 47 per cent live births, 28 per cent legal abortions and 9 per cent miscarriages. He asked for additional information on the situation and how it might be remedied.

36. According to Radio Free Europe, a study by the Central Statistical Bureau showed that 90 per cent of adolescents between 15 and 16 years of age had consumed alcohol or taken drugs in 1999, 89 per cent of boys and 88 per cent of girls had consumed alcohol and 60 per cent of boys and 50 per cent of girls had become intoxicated at some time during the year. The use of marijuana among adolescents had tripled. He would be grateful for information on why there was such a high consumption of alcohol and drugs and what could be done about it.

37. A report of the United States Department of State said that prostitution was increasing in Riga, and there was evidence that the trafficking in women and children for prostitution abroad was growing. In May 1999, Parliament had amended the Penal Code to try to deal with that crime by increasing the penalties when minors were involved. The Committee would welcome further information on what action was being taken to stop the practice.

38. Ms. KARP asked what the process was for resolving student complaints regarding violence by teachers and whether teachers were suspended in such cases.

39. She understood that welfare allowances and services were still very dependent on the financial conditions of the local authority. How did Latvia reconcile that situation with the people's right to have allowances and ensure that it did not lead to discrimination against children?

40. Additional information would be useful on the custody courts, in particular whether they worked with the welfare authorities and the police and whether they referred people to conciliation or other measures outside the court.

41. There appeared to be difficulties with regard to the payment of maintenance for children who lived in Latvia by parents working in Russia; she asked whether that was due to the cost of transferring funds or to the length of time it took. What was being done to enforce payment of maintenance?

42. Regarding sexual abuse, it appeared that girls and boys were protected only until 16 years of age, because the age of consent was 16. She wondered whether Latvia had considered adopting the Stockholm Declaration and Agenda for Action against Commercial Exploitation of Children, which recommended that children should be protected until the age of 18. It was very important to tackle the growing problem of girls who were taken from Latvia to work as prostitutes in other countries. What measures did the Government take for girls who were expelled back to Latvia, where they were in danger of being the object of revenge from the organizations that had recruited them, particularly if they gave evidence against the latter? Had any programmes or agencies been established to provide support and rehabilitation for such girls?

43. It would be useful to know whether children could have free testing for AIDS, whether they could request it without parental permission and what action was taken if they tested positive.

44. There was a trend towards multidisciplinary projects for treating child victims of sexual abuse, where all the treatment was provided under one roof. Latvia should consider establishing such a project.

45. Ms. RILANTONO, referring to basic health and welfare, said that, according to the World Health Organization (WHO), Latvia had a negative population growth rate, which was surprising as the phenomenon was more usual in developed countries. There appeared to be high rates of infant and maternal mortality.

46. Information from WHO also indicated that abortion was the most common form of fertility regulation in Latvia and that there were approximately as many abortions as live births. For women under 20 and girls, 1,435 abortions had been recorded in 1997 per 1,000 live births. Was reproductive health taught in schools? How did the public health-care system cover the subject? There were reports of high levels of maternal mortality owing to haemorrhaging. Was prenatal care provided free of charge? Apparently, what was needed was a more holistic approach to prenatal and perinatal care and to teenage reproductive health services. What was the Government's position concerning the high rate of abortion, especially in the light of the country's negative population growth?

47. Ms. MOKHUANE expressed concern about discrimination in the naturalization process against persons who fared poorly in academic terms and would be likely to encounter difficulties in passing the language examinations that the process required.

48. According to WHO statistics, deficiencies of micronutrients such as iron and iodine were a serious problem which apparently could result in disorders including brain damage and could seriously impede children's mental development. In 1998, Latvia's mortality rate for children under five and infants had been the highest in the Baltic States. Had that rate declined? In 1998, breastfeeding rates had remained low. Had they since increased? The level of consumption of fruits and vegetables was the lowest in Europe. What was being done to improve nutrition? She asked how primary health care was financed, and whether such care was easily accessible to the general population. She would also like to know whether any studies had been conducted on resistance to condom usage and its effect on efforts to control sexually transmitted diseases such as HIV/AIDS and syphilis. Latvia's suicide rate was the highest in Europe. What action had been taken to prevent suicidal behaviour? Had the Government taken any steps to discourage smoking and substance abuse by adolescents?

49. Paragraph 200 of the report stated that children could be placed in specialized schools free of charge. Currently, the trend in many countries was to integrate special-needs children into regular establishments. What was the situation in Latvia?

50. Mr. RABAH asked whether the figure of 133 minors in detention represented the cumulative total held in the course of the year or the number in captivity at a given time. He asked what kinds of offences such children had committed, and whether juvenile courts or judges existed. Were alternative measures provided by law for juvenile offenders? He would also like to know whether juvenile offenders received legal aid, whether they had access to social workers, and whether specific training was provided to specialists who worked with them.

51. Ms. KARP said that, according to a report from Save the Children, in Jurmala, some 3,000 eviction claims were currently before the courts, representing about 5 per cent of the town's population. To what extent had the best interests of the child been taken into consideration in the eviction proceedings? Adoptive parents and many other people caring for children were not entitled to family allowances. How were the best interests of the child taken into consideration in such circumstances? The report provided much information on education relating to article 28 of the Convention, but there was little on the aims enumerated in article 29. How were they reflected in the school curricula?

52. Ms. TIGERSTEDT-TÄHTELÄ asked the size of the Roma community in Latvia and approximately how many children it included. The report mentioned that there were classes for Belarusian and Roma children. Were such classes held in the Roma language, and were there any teachers of Roma origin? What was the attendance rate of Roma children?

The meeting was suspended at 4.45 p.m. and resumed at 4.55 p.m.

53. Mr. VASILJEVSKIS (Latvia), replying to questions concerning education, said that the number of students per computer had dropped from 67 in 1999 to about 30 in 2001. All secondary schools and 60 per cent of primary schools had Internet access. The Cabinet of Ministers had adopted regulations under which all children subject to compulsory education must be registered by their municipalities.

54. In 2000, just over 3,000 children between the ages of 7 and 15 were not attending schools, for various reasons. The educational system provided for a wide-ranging curriculum, which included compulsory health education in grades five and nine. There were plans to institute compulsory health education in secondary schools as well, as from 2002. The Government also provided some 4 million lats in funding for extracurricula activities.

55. Education for children with special needs was provided at 17 boarding schools and 63 special schools. A cooperation project was currently under way with the Nordic countries, the aim of which was to integrate children with special needs into regular schools whenever possible. The boarding schools, which were free of charge, were attended by orphans and children from families with incomes under a specified minimum. The Government had issued a special textbook for the teaching of the Roma language. There were currently six classes in which Roma pupils were provided with basic education. Minority students had the same rights as others, and in addition were entitled to learn their mother tongue and to maintain their cultural heritage.

56. Mr. KĀRKLIŅŠ (Latvia) said that the figure of 82.7 per cent represented the proportion of students enrolled in primary school as a percentage of all students, including those in secondary school. The number of children not enrolled in compulsory primary education for various reasons was about 3,000, and the number attending primary school was 361,432.

57. Ms. ČABE (Latvia) said that a law on sexual and reproductive health had been adopted by the Cabinet of Ministers in 2000 and was currently in its second reading before Parliament. Final adoption was expected in 2001. The Government was also developing a strategy of mother and child health care, which would include sections on reproductive and children's health promotion and disease prevention, including more effective information activities. The strategy was currently being discussed in the Cabinet of Ministers and was expected to be adopted by the end of January 2001.

58. Pregnant women were monitored by gynaecologists and family doctors. Outpatient consultations were also provided at the country's four perinatal centres. Since 1995 there had been an average of eight deaths of pregnant women per year, and the maternal mortality rate

in 1999 had been 41.5 per 100,000 live births. While the birth rate was decreasing, the maternal mortality rate was rising. The majority of maternal mortality cases could have been prevented with timely diagnosis and treatment of pathologies.

59. The primary health-care system in Latvia was still developing, and was modelled after the Canadian system, with an emphasis on the role played by family physicians. About 87 per cent of the population had been registered with a family physician in 1999. Care for pregnant and postpartum women was provided by 455 gynaecologists, 81 midwife doctors' assistants and 539 midwives. At the end of 1999 nearly 600 hospital beds had been assigned to their care. The reproductive health-care system was grappling with serious problems in respect of abortion, maternal mortality and perinatal care. With the development of a new strategy for mother and child health, however, that situation should improve.

60. Infant mortality had decreased from over 400 cases in 1995 to just over 200 in 1999. Access to emergency health-care services was available to everyone free of charge. State-provided medical services were accessible to citizens of Latvia, permanent residents and residents of other countries who held residency permits, as well as citizens of States which had concluded international agreements with Latvia providing for such care. Such patients paid for a portion of their care under a copayment system. Exceptions were made and no fees were charged for certain groups such as children under one year of age, disabled children, residents of children's homes and boarding schools and members of foster families and orphanages. In cases where fees were due for children, they were charged at a reduced rate. The funding system for health-care services was currently being revised, and one of the proposed changes would eliminate payments for children's medical services altogether.

61. Under a draft law on psychiatric care which had recently been drawn up in conformity with international regulations and practices in that field, children could be hospitalized only with the consent of their parents and on the advice of a psychiatrist. Parents of children up to the age of 10 were entitled to stay at the hospital with their children free of charge. The bill was currently before the Cabinet of Ministers and would probably come before Parliament some time in 2001.

62. The vaccination rate for infectious diseases among children was 95 per cent. In some regions, where the risk of encephalitis was particularly high, vaccinations against the disease were provided free of charge. In general, the vaccination situation had improved since 1998.

63. Only every third infant under the age of six months was breastfed, which indicated that education for mothers-to-be was insufficient. Since 1998, a National Breastfeeding Committee had been operating in conjunction with the Ministry of Welfare and UNICEF. A regional hospital in Valmira had been designated a "baby-friendly" hospital, and other similar initiatives would be developed in the future. Her Government was aware that there were problems concerning reproductive and women's health in general, but it was working to correct that situation, and would continue to accord it priority over the coming years. Documents had been drafted for the attention of Parliament and a monitoring system for pregnant women had been established.

64. Replying to a question concerning child abuse, she said that children could go directly to a custody court or to see a doctor without needing to inform their parents. Doctors had a duty to inform the custody courts when they were contacted directly, and the custody courts were responsible for deciding whether or not to contact the parents concerned.

65. The Government's mother and child health-care strategy was designed to implement contraception programmes for women and girls under the age of 18. Though abortion was legal in Latvia pursuant to the Reproductive and Sexual Health Act, under the Medication Law doctors had a duty to attempt to persuade mothers not to terminate a pregnancy if there were no medical grounds for doing so. It was their right to refuse to perform an abortion in such circumstances. Recourse to abortion was often the result of poor education. In order to address that problem, the Ministry of Welfare had published a series of booklets on contraception, available in every hospital in the country. One of the tasks of the Family Centre of Latvia was to educate patients and doctors, including specialists and general practitioners, in effective methods of contraception.

66. AIDS tests were provided free of charge throughout Latvia, and Ministry of Welfare advice booklets on the virus were available in all schools and hospitals. There were an increasing number of AIDS victims, often infected as a result of intravenous drug use, including nine cases in children since 1998.

67. Ms. PODZIŅA (Latvia), referring to institutional and alternative care, said that the custody courts had the power to remove children from their biological parents when their health was endangered as a result of economic difficulties or negligence. Children taken into care were traditionally placed in institutions. There were currently 6 orphanages, catering for babies under the age of 2, 3 special-needs institutions and 56 shelters for children aged between 2 and 18. There were currently 450 children in care institutions legally available for adoption. The State was also trying to stimulate the development of alternative care. Appointed guardians were entitled to State benefits and four months' leave to fulfil their responsibilities. Specially-trained foster families, of which there were currently 17, constituted a new form of care structure, and were also entitled to benefits from central and local Government. Guardians and adoptive parents had the same rights as biological parents.

68. Ms. IELĪTE (Latvia) said that although custody courts had the right to remove children from families, either on a temporary or permanent basis, as a general policy they tried to keep children with their biological parents whenever possible. In three cases in the previous year, a legal decision to remove a child from his parents had been overturned to keep families together. In addition, from January 2001 local government authorities would be legally obliged to draft individual support programmes for each family from which children were removed with a view to their eventual return.

69. Street children were divided into two categories: those who lived and slept on the streets, and those who usually went back home to their families or guardians in the evening. Research had shown that most of those children were boys aged between 9 and 15, and came from single-parent families with a number of children to look after. Since 1997, a network of NGOs had been operating to provide a range of services to street children, and NGOs had subsequently

received a number of grants for their work in that area. In 1999, the National Centre for the Rights of the Child and an NGO named Education for a Civic Society had run a training course for local government social workers dealing with street children.

70. There was a difference between the allowances received by adoptive parents and those for the benefit of foster parents or guardians. Unfortunately, while custody courts had the right to monitor the progress of adopted children within Latvia, that was not the case abroad. Nevertheless, efforts had been made to send representatives of the courts or of the Ministry of Justice to families outside Latvia whenever possible.

71. With regard to sexual abuse, the State had stepped up its activities and budgetary commitment in the previous two years. It had worked in conjunction with NGOs to develop a national action plan with a view to implementing the recommendations of the Stockholm Congress against Commercial Sexual Exploitation of Children. A recent case of child prostitution involving two girls aged 15 and 17 had led to the State adopting a procedure for protecting and providing rehabilitation for the girls concerned. A decision had been taken at the ministerial level to establish a specific rehabilitation centre for children involved in prostitution. A meeting organized by the National Centre for the Protection of the Rights of the Child in 1999 had led to the establishment of a telephone hotline for reporting Internet sites containing material of an explicit nature likely to be harmful to children.

72. Mr. JANSONS (Latvia), replying to questions by Mr. Doek and Ms. Karp, said that his Government was aware of the problem of long periods of pre-trial detention. The main prerequisite for dealing with the problem was to increase the capacity of the court system, and many improvements had already been made, including the building of new premises and an increase in judges' salaries. Cases were being examined with increasing speed, although further action was required. In March 2000, the Ministry of Justice had issued a written instruction urging courts to give priority to cases involving children awaiting trial. The Code of Criminal Procedure also provided for measures other than detention, including personal guarantee, transfer under police supervision, bail and corrective education.

73. Replying to questions by Mr. Rabah, he said that a new Criminal Court had been established in April 1999, and that the age of criminal responsibility was 14 for all offences. New penalties applying to minors included warnings, detention in custody, compulsory labour, and fines in cases involving minors with their own income. Statistics from 1998 showed that almost 20 per cent of officially registered crimes were committed by minors, and that in the course of that year, a total of 1,678 minors had received some form of punishment. Of those, 275 had been given sentences involving deprivation of liberty, of an average length of one to three years. There were separate educational and correctional facilities for boys and girls, operational since 1996 and 1998 respectively. In accordance with the Code of Criminal Procedure, all cases involving minors required the presence of a solicitor. With regard to detention facilities, a board consisting of representatives of the Ministry of Justice and Office of the Prosecutor-General was responsible for monitoring conditions.

74. Ms. TIGERSTEDT-TÄHTELÄ said that she hoped the comprehensive dialogue would have a positive effect on implementation of the Convention in Latvian legislation. The coordination of activities carried out by the Children's Rights Protection Centre was very

encouraging. Nevertheless, a special monitoring structure should be established, such as an Ombudsman, since the Government was bound to find it difficult to monitor its own legislation. It was essential to allocate sufficient resources for the building of a child-friendly society, and economic analysis showed that money spent with that in mind would in the long term result in considerable savings for the Government. Cooperation between the Government of Latvia and civil society was generally very productive, but a more systematic approach to include children's associations would be even more fruitful. She welcomed the implementation of a rights-based approach, but reiterated the importance of choosing priorities. Education should certainly be one of those, as should the allocation of resources. Lastly, she said that the Committee was aware of the transition taking place in the Latvian economy, and of the difficulties that implied.

75. Mr. KĀRKLIŅŠ (Latvia) said that he looked forward to receiving the Committee's objective recommendations, particularly since his country was in the process of drafting its second periodic report, which would be submitted during the first quarter of 2001.

76. The CHAIRPERSON said that when it came to reflect on the Committee's conclusions, the Latvian Government should take note of article 44, paragraph 6 of the Convention, concerning the dissemination of information regarding periodic reports to the public. She also noted that Latvia had yet to accept the amendment to article 43 of the Convention increasing the Committee's size, and urged the delegation to remind its Government of the need to do so as quickly as possible.

The meeting rose at 6 p.m.

UNITED NATIONS

CRC

Convention on the Rights of the Child

Distr.
GENERAL

CRC/C/SR.673
5 June 2001

ENGLISH
Original: FRENCH

COMMITTEE ON THE RIGHTS OF THE CHILD

Twenty-sixth session

SUMMARY RECORD OF THE 673rd MEETING

Held at the Palais Wilson, Geneva,
on Wednesday, 10 January 2001 at 10 a.m.

Chairperson: Ms. OUEDRAOGO

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The meeting was called to order at 10.10 a.m.

STATEMENT BY MRS. ROBINSON, UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS

1. Mrs. ROBINSON (United Nations High Commissioner for Human Rights) said that two major events of specific importance to the Committee and its work for child rights would take place in September 2001: the World Conference against Racism in Durban and the United Nations General Assembly Special Session on Children in New York.

2. While children were, all too often, targets of discrimination and exclusion, they had a considerable contribution to make to a shared vision of a non-discriminatory world because they were open-minded and free of prejudice. Every possible effort should be made to engage young people in both the preparation of and the follow-up to the World Conference, an issue that the Committee should raise with States and with UNICEF. She said she welcomed the participation of members of the Committee in the regional preparatory meetings for the Conference. The General Comment on article 29, paragraph 1, of the Convention, which the Committee intended to adopt during the current session, largely thanks to the funds made available under the Plan of Action on children's rights, would constitute an important contribution to the Conference.

3. The General Assembly Special Session on Children would provide a valuable opportunity to take stock of progress made over the previous decade and the challenges that remained. There, too, children should be involved, and she was aware of the Committee's active assistance in that respect. The Committee could rely on the support of the Office of the High Commissioner for Human Rights (OHCHR) and other partners to champion children's rights.

4. Referring to the campaign for universal ratification of international human rights treaties, she said that seven more States had recently signed the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflicts, which brought the number of signatories to 75. Six States had recently signed the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, which brought the number of signatories to 69. However, there had been no new ratifications of either protocol. The Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women, which provided women in general and girls in particular with the possibility of submitting complaints concerning human rights violations to the Committee on the Elimination of All Forms of Discrimination against Women, had been ratified by 13 States parties and had entered into force on 22 December 2000.

5. Since the Committee's previous session, four additional States parties had formally confirmed their acceptance of the amendment to article 43, paragraph 3, of the Convention, which would increase membership of the Committee to 18. To date, 96 States had formally accepted the amendment, which required 24 more signatories before it could enter into force. The ILO Convention on the Worst Forms of Child Labour had been ratified by 52 States and had entered into force on 19 November 2000.

6. In the resolution on the rights of the child adopted at its fifty-fifth session, the General Assembly had taken note of the recommendations made by the Committee during its

discussion day on State violence against children, held on 22 September 2000, including the one that called for a comprehensive study on the issue of violence against children. Any comprehensive study would also have to take into account the recommendations that emerged from the Committee's next discussion day on the topic of violence against children at home and in schools.

7. The Plan of Action on children's rights was giving special attention to the issue of the administration of juvenile justice. Everything possible had to be done to improve the situation of minors detained by police, whether in police stations or in adult prisons. Within the framework of the Plan of Action, a national strategy development seminar on juvenile justice had been held in Uganda in November 2000, following a specific recommendation made by the Committee after consideration of the initial report of Uganda.

8. She drew attention to the report of her visit to the Middle East in November 2000 following the special session of the Commission on Human Rights on the situation in the occupied Palestinian territories. A sub-section of the report dealt with the desperate situation of children, which she had witnessed for herself in visits to hospitals and when talking to children in Gaza, Ramallah and elsewhere.

9. In 2000, her Office had launched its second annual appeal for funding, some of which would help to support the work of the treaty bodies, including the Committee on the Rights of the Child. Lastly, she paid tribute to the Committee's hard work and renewed her assurance of her Office's support.

10. The CHAIRPERSON expressed her thanks to the High Commissioner for her statement and for her support to the Committee.

CONSIDERATION OF REPORTS OF STATES PARTIES (agenda item 4) (continued)

Initial report of Liechtenstein (CRC/C/61/Add.1; list of issues (CRC/C/Q/LIE/1); written replies of the Government of Liechtenstein to the questions in the list of issues (document without a symbol distributed in the meeting room in English only))

11. At the invitation of the Chairperson, Mr. Frick and Mr. Büchel took places at the Committee table.

12. Mr. FRICK (Liechtenstein) said that the written replies to the questions in the list of issues brought up to date the report of Liechtenstein, which had been written in 1998. The Principality was a very small country with just 33,000 inhabitants but it had one of the highest standards of living in the world and a flourishing economy. Liechtenstein was still a predominantly rural society, and unemployment was practically non-existent. The State was therefore able to finance a number of programmes as well as a high quality education system.

13. Mr. DOEK said he welcomed the decision to relax the conditions for acquiring Liechtenstein nationality and to consider withdrawing the reservation to article 7 of the Convention. Nevertheless, he understood that, under the new law, a child born in Liechtenstein whose parents were stateless would also be considered stateless, in violation of article 7.

14. Liechtenstein could also withdraw its reservation to article 10 of the Convention, under which it did not guarantee family reunification for certain types of foreign nationals, since article 10, paragraph 1, did not stipulate that family reunification should be an absolute right. According to the European Court of Human Rights interpretation of article 8 of the European Convention on Human Rights, the duty to respect private and family life did not mean that the right to family reunification was applicable in all circumstances.

15. In its written replies, the State party had referred to the opinion expressed by the Constitutional Court of Liechtenstein that international treaties had at least legislative rank, he wondered what would happen in the event of a conflict between the Convention and domestic legislation. Given that Liechtenstein did not have a particular mechanism for monitoring implementation of the Convention, could the delegation clarify whether the Ombudsman was responsible for doing so?

16. Lastly, he asked for details of Liechtenstein's "primary prevention" policy to combat juvenile crime and drug addiction, which focused on increasing children's and adolescents' self-confidence.

17. Ms. MOKHUANE wondered whether a survey had been done to find out how the general public perceived the rights of the child. What was the connection between the Youth Council, the Children's and Youth Service and the Youth Commissions? She said she was surprised that the Department of Social Affairs was responsible both for implementing the Convention and for monitoring its implementation.

18. Mr. FULCI wondered how long it would take to approve the legislation on easier access to Liechtenstein citizenship for stateless persons: was it a matter of months or of years? In its report, Liechtenstein stated that it was unable to change the domestic legal situation in order to permit withdrawal of its reservation under article 10 of the Convention, but believed that the reservation did not contradict the objective and purpose of the Convention. In the Committee's opinion, however, the reservation did indeed contradict the Convention insofar as it led to discrimination by establishing various categories of aliens. What would happen to refugees from Kosovo in Liechtenstein, for example: would they be able to settle in the country and, if so, could they obtain citizenship?

19. He asked whether the age of majority had been lowered from 20 to18, as in most other Western countries, despite the rejection of a proposal to do so in a previous referendum.

20. Ms. KARP said she understood that women in Liechtenstein had the right to vote in national elections but not in local elections. Local elections were no less important and she wondered how the State party justified that inequality. She also asked whether the State party fully implemented children's right to development or was considering how to implement it. Did it, for example, provide early developers or gifted children with special education suitable for their abilities?

21. She said she was surprised that the State party had not ratified such international instruments as the ILO Conventions and the Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption. Given the country's strategic geographical

position and the number of tourists it welcomed, there were no doubt prostitutes there and she wondered therefore why the State party had not ratified the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others.

22. She wondered whether the provisions of the Convention had yet been invoked in the courts or whether any courts had based judgements on those provisions. She also wondered whether persons under 18 were allowed to seek medical treatment without their parents' consent and, if so, whether that applied to all types of treatment or only certain types. Lastly, she wondered whether, as in other industrial countries, children found themselves under pressure, particularly with regard to academic success.

23. Ms. TIGERSTEDT-TÄHTELÄ said that the best interests of the child had to be taken into account not only in the area of family law, but at all levels of society. How did the State party define the best interests of the child, given that it was not defined in article 3 of the Convention? An article that was closely linked to article 3 was article 12 on respect for the views of the child. Children were heard in Liechtenstein and could take part in various youth committees and commissions. However, in the Committee's opinion, if children had the right to make their opinion known, decision-makers had a duty to take that opinion into account: did the State party apply that general principle or did it interpret article 12 in some other way?

24. Mr. RABAH asked the delegation to explain how independent the human rights Ombudsman could be given that it was a government appointment, and to give concrete examples of cases taken before the Ombudsman. He also mentioned the lack of information in the report on the NGOs' role in monitoring the implementation of the Convention and concerning the existence or otherwise of programmes to train judges, police officials and social workers in the provisions of the Convention.

25. Mr. DOEK said he thought the information given in paragraphs 53 to 55 of the report, on children's capacity at various ages, was too descriptive; he would have liked to have more analysis of the practical implementation of the various rules. What was meant by "on their own account", for example, when it stated that minors aged between 14 and 18 could on their own account enter into contractual obligations to provide services? Similarly, the report stated that at the age of 15 a minor became liable under the provisions of the law governing payment of damages, but it did not state who was liable if the minor was under 15. The legal age of sexual consent was in principle 14 but, in the case of homosexual acts, it was 18; he would like to know the reason for the difference.

26. According to paragraph 87 of the report, courts were not obliged to give effect to the views of the child; the State party should therefore consider introducing a provision to the effect that any court taking a decision contrary to the opinion expressed by the child should have to justify that decision in writing. Lastly, he asked whether paragraph 78 of the report meant that children had the right to bring a case before the court independently, without being represented by their parents, which he would warmly welcome.

The meeting was suspended at 11.30 a.m. and resumed at 11.40 a.m.

27. Mr. FRICK (Liechtenstein) said that, like all international instruments ratified by Liechtenstein, the Convention ranked higher than domestic legislation in the event of a conflict. Liechtenstein did not believe it was a good idea to join ILO, partly because there was already much work to do in implementing and monitoring the other international instruments to which it was party. Legislative elections would be taking place in February 2001 and the resulting Parliament would ratify two conventions in 2001 or 2002: the Convention Relating to the Status of Stateless Persons and the Convention on the Reduction of Statelessness. The ratification procedure was relatively quick and took months rather than years.

28. There were plans to introduce a policy of family reunification for nationals of non-European Union States who held a work permit. Foreigners with a permanent residence permit could request Liechtenstein nationality provided they renounced their original nationality. The decision to grant nationality had ceased to be subject to a popular vote in 2000. Liechtenstein had taken in many refugees from Kosovo. Some of them had been given assistance, in some cases financial assistance, to return to their country. Others had applied for a residence permit. Refugee children took intensive German courses and were integrated into the ordinary school system.

29. The principle of the best interests of the child was not explicitly defined in the national legislation, but that did not mean Liechtenstein did not pay special attention to children's rights, as could be seen from the wide range of programmes that had been put in place to help children. Liechtenstein also hoped to involve children and adolescents in the revision of the law on minors in order to understand their concerns and hopes in that area.

30. School curricula and extra-curricular activities were designed to help children to develop their personality in a harmonious way. After primary school, children were guided into one of three branches, depending on their results and their level of maturity, and could switch from one to another at any time. Generally speaking, children were not subject to pressure to succeed nor to inordinate social pressures.

31. Mr. BÜCHEL (Liechtenstein) said that a campaign had been launched in 1998, mainly in the press, to make children more aware of their rights and to encourage all educational establishments to organize courses in prevention of abuse. All communities had social workers trained in youth-related questions. No ombudsman for children had yet been created but there were plans to establish such a position. The Department of Social Affairs was responsible for dealing with any cases in which children's rights were violated. Children experiencing difficulties at school or with their parents could see special therapists.

32. Ms. TIGERSTEDT-TÄHTELÄ said that the best interests of the child should be central to all States' plans and policies. Parliament should automatically consider what consequences a bill might have on children if adopted. The State party was not obliged to define the best interests of the child in its legislation, but it could at least give a partial definition in the various laws it adopted in the area of children's rights. It was a concept that could have as many interpretations as there were laws on the subject. The concept of "the well-being of the child", was used several times in the report and she wondered what that covered in Liechtenstein and how courts interpreted the principle.

33. Mr. BÜCHEL (Liechtenstein) said that the well-being of children had been defined in the General Civil Code even before Liechtenstein had acceded to the Convention. Liechtenstein's courts automatically took account of the best interests of the child in every decision affecting children. A 24-hour telephone helpline had been set up to take complaints from children who were subjected to ill-treatment. Children could also contact the Department of Social Affairs or other specialist institutions for information and advice.

34. Liechtenstein had not launched any special programme for the implementation of the Convention but conducted awareness campaigns in the media on issues relating to children's rights and organized regular training for social workers and other professionals dealing with children. As far as he knew, no training on the Convention had been provided for police officers.

35. Mr. FRICK (Liechtenstein) said that draft legislation was automatically communicated to NGOs and all professional groups involved for comment before being presented to Parliament. The Convention on the Rights of the Child had never been invoked in Liechtenstein's courts.

36. The age of majority and the voting age had been lowered to 18. With regard to legal capacity, according to the Civil Code, children could assume obligations from the age of 14, provided that such obligations did not exceed any income they derived from some minor gainful activity or the amount of their pocket money. If the minor was unable to meet those obligations, his parents or legal representative were liable for repayment of any ensuing debts.

37. Mr. BÜCHEL (Liechtenstein) said that minors could consult a doctor without their parents' consent, whatever their age. In cases of unwanted pregnancy in a minor, counsellors and the family doctor offered support and acted as intermediaries between the girl and her parents. The Department of Social Affairs knew of no critical situations that had gone unsolved.

38. Ms. KARP said that the Committee on the Elimination of Discrimination against Women believed that there could be a link between the high rate of births outside marriage and strict abortion laws. What was the true situation in Liechtenstein?

39. Mr. FRICK (Liechtenstein) said that, contrary to the conclusions of the Committee on the Elimination of Discrimination against Women, there was a very low number of births outside marriage in Liechtenstein. The Committee was probably referring to the number of one-parent families, which was continually increasing in Liechtenstein as a result of divorce. The children were raised by one or other of the parents, but they were not children born outside marriage to minors who had never been married.

40. Mr. DOEK asked whether, in cases of adoption or artificial insemination by donor, the child had the right to obtain information on his biological parents or the donor, including their identities.

41. With regard to the family environment and alternative care, Liechtenstein had set up a whole range of services for vulnerable families, but he would like to know whether such services

were accessible to foreign families, whether permanent residents or not. With regard to children deprived of a family environment or orphans, "young" children were apparently placed with foster families. What happened to older children?

42. Under the new marriage legislation, parents who so wished could share custody of a child in the event of divorce. Was that provision automatically applied or was some procedure needed? The new legislation also provided for divorce by mutual consent; was the old legislation on marriage applicable in other cases?

43. What steps were taken to protect children in cases of abuse or neglect? Anyone learning of such a case had an obligation to alert the Children's and Youth Service, with the exception of doctors, yet they were in the best position to detect cases of physical or moral violence against children. Could the delegation give more information on that subject?

44. In cases of adoption, the report said that the parents of an adoptive child who was of age had the right to a hearing. Did that mean that parents of adopted children who were minors did not have that right? Under the Nationality Act of 1996, the maximum age for acquisition of nationality through adoption had been raised from 7 to 10. If one or other of the adoptive parents was of Liechtenstein nationality, a foreign adopted child acquired that nationality through adoption as long as he had not reached his tenth birthday at the time of adoption, while an older child did not acquire it automatically and had to apply later. Was that not age-based discrimination? Why not grant nationality at the time of adoption, thereby avoiding serious problems such as statelessness? Adoptive children often lost their nationality of origin under adoption law in other countries.

45. Ms. MOKHUANE repeated her question as to the connection between the Youth Council, the Children's and Youth Service and the Youth Commissions. If all ministerial decisions were taken collegially, she wondered how inter-ministerial coordination was organized. The report stated that ministers met once a week to discuss various issues, including those relating to the rights of the child. Were those weekly meetings formal or informal? Was abortion authorized in cases of rape? Lastly, she wondered what measures were in place to ensure that the law prohibiting children aged under 16 from drinking alcoholic beverages was observed.

The meeting rose at 1 p.m.

UNITED
NATIONS

CRC

Convention on the
Rights of the Child

Distr.
GENERAL

CRC/C/SR.674
15 January 2001

Original: ENGLISH

COMMITTEE ON THE RIGHTS OF THE CHILD

Twenty-sixth session

SUMMARY RECORD OF THE 674th MEETING

Held at the Palais Wilson, Geneva,
on Wednesday, 10 January 2001, at 3 p.m.

Chairperson: Ms. OUEDRAOGO

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GE.01-40151 (E)

The meeting was called to order at 3.05 p.m.

CONSIDERATION OF REPORTS OF STATES PARTIES (agenda item 4) (continued)

Initial report of Liechtenstein (continued) (CRC/C/61/Add.1; CRC/C/Q/LIE/1; written replies of the Government of Liechtenstein to the questions in the list of issues (document without a symbol distributed in the meeting room in English only))

1. At the invitation of the Chairperson, Mr. Frick and Mr. Büchel (Liechtenstein) resumed places at the Committee table.

2. Mr. FRICK (Liechtenstein) said that Liechtenstein had not withdrawn its reservation to article 10 of the Convention, because there was still one category of foreigners who could work in the country but were not guaranteed family reunification.

3. With regard to international conventions, Liechtenstein was not a signatory of the Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption, but had signed the European Convention on Adoption of Children. For the time being, it had not signed the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, but it had signed the United Nations Convention against Transnational Organized Crime and was considering signing the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children.

4. Prostitution did not exist in Liechtenstein.

5. Referring to article 12 of the Convention, she said that Liechtenstein law did not yet contain procedural rules enabling a child to be heard in any judicial or administrative proceeding, and that the normal rules of the Civil Code applied.

6. Currently, there was a difference in the age of legal consent for heterosexual and homosexual relations. However, Liechtenstein was adapting its legislation to Austrian law, on which, for historical reasons, the law of Liechtenstein was based.

7. In court cases, judges were required to hear the child's opinion and, if they decided against it, to justify their decision. As of 14 years of age, children had the right to be a party in one specific court case: transfer of legal custody.

8. In the case of artificial insemination, the question of the identity of the father had not been settled by law as yet. In general, the father was presumed to be the woman's husband or companion, or else was defined as 'unknown'. Adopted children had the right to consult the adoption file and learn the names of their birth parents when they attained 18 years of age.

9. There were only two ways of obtaining a divorce: by mutual consent, where the marriage was simply dissolved or by court proceedings, where, if an agreement could not be reached, the judge would order a three-year separation, after which divorce was automatic.

10. Officially, doctors were not obliged to inform the authorities when cases of child abuse came to their attention. However, in practice, matters were different. If a case went to court, the doctor was required to testify.

11. According to current Liechtenstein legislation, nationality was given to children under 10 years of age who were adopted, but not to those who were over 10 years old; that provision needed to be revised as it was not in line with the practice in neighbouring countries. Adopted children who were given Liechtenstein nationality lost their nationality of origin.

12. The law did not provide for a specific procedure in the case of a girl becoming pregnant through rape. Currently, abortion was only legal by medical indication; however, once again, that was different in practice. To date, no one had been convicted owing to abortion.

13. With regard to inter-ministerial coordination, the Government met regularly, once a week, in formal sessions. All decisions were taken by consensus, so each member of the Government had to take a stand on every subject. Then the Minister in charge of the respective portfolio reported to Parliament.

14. Mr. BÜCHER (Liechtenstein), referring to the consumption of alcohol, said that Liechtenstein had a monitoring system in place, through the police and social workers, who inspected places that sold alcohol to ensure that it was not sold to minors. Suppliers who did not respect the law were punished, but not the young people who consumed alcohol. Every restaurant had to sell at least one non-alcoholic beverage cheaper than the cheapest alcoholic drink.

15. In the case of orphans, Liechtenstein endeavoured to find a specific solution for each case. At times, that involved paying a professional person to look after them, and only occasionally was an orphan put into an institution or a specialized home.

16. Youth commissions were local organizations that managed youth problems at the community level. Their tasks were not specified by law. The Youth Council was responsible for the whole country and dealt with problems and conflicts where children were involved; it took decisions and provided funds for actions. The Office for Social Services provided counselling and funding for youth programmes.

17. Mr. DOEK drew the attention of the Government of Liechtenstein to the possibility of withdrawing its reservation to article 10. Liechtenstein's legislation on nationality, as described in the report, did not appear to be incompatible with article 10, which required States to deal with family reunification humanely and expeditiously but did not make it obligatory.

18. It would be useful to have further information about the situation of children after a divorce. Although they usually remained with the mother, did fathers retain joint custody and did they have visiting rights? Did the children themselves play a specific role, depending on their age? For example, did they have the right to approach the judge to file a petition for a change in custody?

19. He asked about the role of doctors in reporting any knowledge they might have of child abuse and neglect. In cases of abuse, the report placed emphasis on the penalties under the Penal Code. As child victims were usually the only witnesses in criminal proceedings for child abuse, further information would be appreciated on how they were interviewed and whether they had to appear in court.

20. Paragraph 145 of the report stated that there was only one institutional facility for adolescents 14 to 16 years of age in Liechtenstein. It was unclear what happened in the case of younger children who had to be removed from their homes; were they always put into foster homes or were arrangements made to place them in a residential facility in a neighbouring country?

21. According to paragraph 231 of the report, persons under the age of 14 were not competent to stand trial. Further information would be welcome on what happened in the case of children of 12 or 13 years of age who were caught shoplifting or repeatedly stealing at school, for example.

22. According to the written replies, the sentencing of juveniles was divided into two categories: minor offences under penalty of less than six months of imprisonment or a fine and more serious offences under penalty of more than six months of imprisonment. However, the most usual type of penalty was some form of sanction. Were fines common and was there a specific body in charge of monitoring community service and probation orders?

23. It was reported that between 1997 and 1999, only one person under the age of 18 had been deprived of liberty. In view of the principle that juvenile and adult prisoners should be separated, where was that person imprisoned?

24. Mr. FRICK (Liechtenstein) said that to the best of his knowledge, under the new divorce law parental authority could be exercised either jointly or by one of the divorcees, and children had the right to approach the judge and file a petition if they wished to contest decisions relating to custody. In cases involving children under the age of 10, priority was always given to finding placement in a family in Liechtenstein. If that was not possible they could be placed in the country's specialized institution but they would never be sent out of the country. Cases of sexual abuse brought before the courts were heard by a designated judge, who worked with the assistance of social workers, including at least one person of the same sex as the victim. To the extent possible, discussions were held outside of the courtroom and in a private setting, and if policemen attended they were not in uniform.

25. Mr. BÜCHEL (Liechtenstein), said that a new working group on sexual abuse had been established for the management of sexual abuse cases.

26. Mr. FRICK (Liechtenstein), said that children under the age of 14 bore no legal responsibility. If such a child committed an offence, the parents would be held responsible. There were no juvenile detention facilities in Liechtenstein. In the past five years, only two cases had been recorded in which juvenile offenders had had to be detained, one involving repeated robbery and the other drug dealing. Liechtenstein had entered into agreements with

Austria and neighbouring Swiss cantons to arrange for the incarceration in their juvenile detention centres of minors arrested in Liechtenstein, but such agreements were invoked only as a last resort.

27. Mr. BÜCHEL (Liechtenstein) said that in the event of relatively minor offences, a system of probation was used for both adults and children.

28. Ms. KARP, noting that Liechtenstein was in the process of adopting Austrian practice in setting the legal age for consent in homosexual relationships, said that Austria had itself been under pressure from the Council of Europe to change its legislation in order to eliminate gender-based discrimination. The Austrian Government had attempted to amend its legislation, but had apparently failed. It was a matter of concern that the Government of Liechtenstein was following a model which was the subject of some debate. The replies to the list of issues lacked statistical information on the workings of the juvenile justice system, including the kinds of penalties which had been imposed on minors, recidivism rates and the number of judgements handed down. There was also a lack of statistical information on rape, teenage pregnancy and adolescent health. Perhaps the Government should consider evaluating its data collection system with a view to making it more effective and bringing it into line with the Convention.

29. Was the Government's assertion that there was no prostitution in Liechtenstein based on research, or simply on appearances? Had any studies been carried out in that regard? It was somewhat difficult to believe that a prosperous country with a great deal of tourism would have no prostitution.

30. Had legislation been adopted to cover the problem of domestic violence? If not, what obstacles stood in the way of its adoption? She noted that there were just 19 places provided in shelters for victims of domestic violence who had to flee their homes and asked whether that was sufficient. Were any non-governmental organizations (NGOs) requesting further Government support in that regard?

31. When children from Liechtenstein were incarcerated in Austria, did they encounter language difficulties or problems in educational or social integration owing to the fact that they were detained in another country? Were their parents provided with any assistance to permit them to visit? According to the written replies, in 1999, 28 persons between 14 and 18 covered by the provisions of the Juvenile Court Act had been accused of acts carrying penalties of more than six months' imprisonment, and 38 had been sentenced. Could the delegation explain why the number sentenced was higher than the number accused?

32. According to the written replies nearly 50 per cent of 19- and 20-year olds smoked marijuana. Was that figure accurate, and was consumption of cannabis common among adults as well?

33. Ms. MOKHUANE said that she was somewhat surprised at the picture painted by the report and written replies, according to which adolescents in Liechtenstein were extraordinarily well-integrated. That contrasted with the normal image of adolescents, who were universally considered to be in a period of storm and stress, with a predilection for risk. There was little in the report to indicate that adolescents in Liechtenstein took such risks. For example, very few

cases of teenage pregnancy had been reported, and sexually transmitted diseases such as chlamydia, which were common in developed countries, were apparently not a problem. What accounted for the homogeneity and high level of integration among adolescents?

34. Mr. FRICK (Liechtenstein) said that he would transmit to his Government Ms. Karp's comment concerning Austrian law and the legal age for sexual consent. When drafting laws the Government generally paid attention first and foremost to its obligations under European structures such as the Council of Europe or the European Economic Area (EEA), and often followed the practice in neighbouring countries. As the General Civil Code was based on Austrian law, Austrian practice often served as a model.

35. Admittedly, there was a lack of statistical data in the report, perhaps owing to the fact that in a small country the population felt less of a need for such information than in larger States. Some statistics had, however, been compiled, for example for the Council of Europe and EEA, and he would ask the Government to make more use of them in future reports.

36. No studies had been done on prostitution in Liechtenstein. However, the country's small size meant that it would be impossible to keep any such activity secret for long, and bars of that nature were illegal. Consequently, those concerned went further afield to look for prostitution in neighbouring Austrian or Swiss towns.

37. Referring to domestic violence, he said that new legislation gave judges the power to order an offender out of the family home, allowing victims to remain in their original place of residence. For many years, the Government had provided financial support to a privately-run home for abused women and children.

38. Mr. BÜCHEL (Liechtenstein) said that the home in question, which could accommodate up to 90 people, was sufficient to meet demand, as only five cases of women suffering from domestic violence were reported each year in Liechtenstein. The remaining places were filled by women from Switzerland.

39. Ms. KARP asked to what extent the small number of reported cases of domestic violence could be due to the reluctance of victims to denounce their aggressors. Were such situations openly discussed in Liechtenstein?

40. Mr. BÜCHEL (Liechtenstein) said that although some cases of abuse clearly remained undiscovered, the issue of domestic violence had ceased to be taboo for several years. Most victims now sought help from counsellors or moved into the available sheltered accommodation.

41. Mr. FRICK (Liechtenstein), referring to questions concerning juvenile justice, said that the law required imprisoned minors to be provided with the means of continuing their education. The two individuals serving sentences in Austria had not encountered a language problem, since German was a common language between the two countries. He confirmed that should parents have difficulty visiting their offspring in prisons abroad, help would be made available, but in reality the distances were small enough to make that unlikely. At no point in Liechtenstein was it possible to be further than three kilometres from the border.

42. In reply to a question concerning an incongruity in the recent statistical data on juvenile sentencing, he said that the number of persons sentenced in 1999 for a period of over six months would appear to be a typing error.

43. Mr. BÜCHEL (Liechtenstein), referring to the data on marijuana use among young people, said that the figure of 50 per cent corresponded to the proportion of young people who had ever tried the drug, and not the number of regular users. Therefore it was neither unusual nor remarkable.

44. Mr. FRICK (Liechtenstein) said that he had been pleasantly surprised by the recent study confirming the extent of young people's satisfaction with their status in society. Most young people were optimistic about their future, in view of the absence of poverty and unemployment, the high standard of living and the extensive social and career-related opportunities. The problem of teenage pregnancies was virtually non-existent and the health-care system was well above average. Those people not going on to university study were catered for by a successful apprenticeship scheme for 16- to 20-year olds. Consequently, young professionals were consistently competitive at the international level.

45. Mr. RABAH, referring to paragraph 70 of the report, asked why the mother was always given custody of a child born out of wedlock. Did that not amount to discrimination against fathers? With regard to paragraph 130, he failed to understand why, in divorce proceedings, the child currently had no right to be heard. Since there were no adoption agencies in Liechtenstein, under what conditions and by what means could prospective adoptive parents seek to adopt abroad? Lastly, he understood that sexual abuse was punishable by imprisonment, but what provision was made for the treatment of victims?

46. Ms. RILANTONO asked whether there was a danger of complacency as young people were evidently so satisfied with their situation. It would be interesting to hear how the delegation thought globalization would affect its country's competitiveness, and whether talented young people tended to move abroad to further their careers.

47. Mr. DOEK asked what possibility existed for students in primary and secondary education to participate in the affairs of their respective schools. With regard to the extent of satisfaction among young people, a recent survey conducted in the Netherlands had also revealed a remarkably positive outlook among adolescents, particularly when asked about relationships with their parents. In fact, some psychologists had expressed concern about such a lack of conflict in the adolescent period, predicting that an urge for conflict might return later in life.

48. Mr. FRICK (Liechtenstein) said that when a child was born out of wedlock and the parents lived together, there was no question of discrimination against the father. It was only when the parents did not live together that the baby would stay with its mother. He failed to see the element of discrimination in that situation.

49. Mr. RABAH said that it was discriminatory in itself to give priority to the mother in such situations, particularly when she might not have the capacity to look after a child.

50. Ms. KARP said that, irrespective of the issue of discrimination, the priority in determining which parent should be given custody should always be the best interests of the child. Did judges have the discretion to take those interests into account or was custody automatically given to the mother?

51. Mr. DOEK said that the law in most European countries provided for an unmarried mother to retain custody of her child. The courts should not become involved unless there was a suggestion that the mother was not fit to raise the child.

52. Mr. BÜCHEL (Liechtenstein) said that he could confirm that courts were empowered to take children away from parents who proved to be unfit.

53. Mr. FRICK (Liechtenstein) said that a single mother who was having difficulty raising a child for financial reasons would be entitled to State benefits.

54. In reply to a question concerning adoption, he confirmed that Liechtenstein did not have an agency of its own for contacting children abroad suitable for adoption. As in many other areas, there were not enough cases to justify such a body, and those concerned made use of agencies in Switzerland.

55. Mr. RABAH said that as in many other areas, such as the imprisonment of children abroad, he was concerned that it was not in the best interests of the child to be a long way from his or her parents. He was not against adoption, but was concerned that the appropriate controls should be in place.

56. Mr. BÜCHEL (Liechtenstein) said that foreign children were adopted through an office in Liechtenstein, so that a national authority was responsible for the monitoring of such cases. Only the initial contact with the child was made through agencies in Switzerland or elsewhere.

57. Mr. FRICK (Liechtenstein) said that the distances between Liechtenstein and the surrounding countries were so small that imprisonment abroad was not as important a step as it might sound.

58. Mr. BÜCHEL (Liechtenstein) said that the new working group on sexual abuse was responsible for the management of individual cases of abuse. Treatment for victims was provided free of charge either by private psychotherapists or by public and private counselling and therapeutic establishments.

59. Mr. FRICK (Liechtenstein), replying to Ms. Rilantono's question about globalization and the "satisfaction ratio" among young people, said that Liechtenstein was a heavily industrialized country with a high population growth rate, partly due to local immigration. Job vacancies, many of them in cutting-edge industries, had recently been increasing at an annual rate of 10 per cent and the employment prospects for young people were excellent. Almost 100 per cent of the country's industrial output was exported. The vast majority of students travelled abroad for higher education, mostly to Switzerland, Austria and Germany.

60. Mr. BÜCHEL (Liechtenstein) said that opportunities for participation by young people in the education system in Liechtenstein were as yet inadequate. There were no school councils but pupils were involved in setting up anti-violence programmes and other similar projects.

61. Ms. MOKHUANE asked whether the efforts to achieve greater involvement of adolescents in the work of the youth commissions referred to in paragraph 91 of the report had produced positive results.

62. Ms. KARP requested additional information, including any written material available in English, about programmes to eliminate violence in schools. Had the effectiveness of such programmes been evaluated?

63. Mr. FRICK (Liechtenstein) cited as an example of participation the reactivation of the "Youth Parliament", a project that had lain dormant for some 20 years.

64. Mr. BÜCHEL (Liechtenstein) said the youth commissions were free to co-opt young people and some of them had already done so. The authorities intended to involve young people and even children in the implementation of the new Youth Law. The idea of establishing school councils had been endorsed in a recent government-sponsored "child and youth report".

65. Mr. FRICK (Liechtenstein) said that some political parties had included very young candidates on their election lists but that it was not easy for a person under 20 years of age to get elected.

66. Mr. BÜCHEL (Liechtenstein) said that anti-violence programmes differed in terms of content and approach from school to school. The process of evaluating their success presented complex problems and there was unfortunately no written material available as yet in the English language. However, awareness of the issue had been considerably heightened among teachers, parents, politicians and young people themselves.

67. Ms. KARP, noting that such programmes were optional, suggested that it was the Government's responsibility to support the programmes and make them compulsory in cases where bullying and violence occurred on such a scale that pupils were reluctant to attend school.

68. Mr. BÜCHEL (Liechtenstein) agreed that the programmes should be compulsory. Any school that opted for the introduction of an anti-violence programme currently received public assistance, including suggestions for programme design.

69. A wide spectrum of services, including school-based psychologists, catered for children with behavioural problems. Teachers could call on the services of specialized supervisors and group therapeutic sessions were arranged where a number of children were involved.

70. Mr. DOEK, reviewing the Committee's dialogue with the delegation of Liechtenstein, said that some members found it hard to believe that a country with so few problems really existed. Perhaps the Government was not aware of the whole story, for example with regard to sexually transmitted diseases and prostitution. At all events, Liechtenstein was in a very privileged position, with a healthy economy, a sound democracy and sufficient funds to provide

generous services and to support families in difficulty. However, some aspects of the existing legislation needed closer consideration. He was happy to note the Government's willingness to look into possible discrimination between homosexuals and heterosexuals with regard to contacts based on consent as well as other forms of discrimination involving, for example, the nationality of adopted children.

71. He hoped that Liechtenstein would reconsider and withdraw its reservation to article 10 of the Convention.

72. He was not convinced that the country had developed the desirable level of awareness of the status of children as the holders of rights. A rights-based approach was needed in a number of areas such as youth participation at the community level and in the education system.

73. He urged Liechtenstein to ratify the International Labour Organization's Worst Forms of Child Labour Convention and the Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption. The fact that very few intercountry adoptions occurred in Liechtenstein and that there were very few cases of international child abduction was not a convincing argument against ratification, which was also a way of expressing solidarity with international efforts to regulate adoption and to eliminate the worst forms of child labour.

74. With regard to juvenile justice, he noted that only a limited number of children were in conflict with the law. However, a more concerted effort should be made to address the problem of juvenile delinquency in a manner that ensured full compliance with article 24 of the Convention.

75. Mr. FRICK (Liechtenstein) said that he had taken due note of the Committee's wide-ranging comments and would communicate them to the Government for thorough consideration.

76. The CHAIRPERSON commended the Government of Liechtenstein on its report and the delegation on its constructive dialogue with the Committee. She urged the State party to make the report and the Committee's concluding observations widely available to the general public. Lastly, she thanked Liechtenstein for ratifying the amendment to article 43, paragraph 2, of the Convention.

The meeting rose at 5.10 p.m.

UNITED
NATIONS

CRC

Convention on the
Rights of the Child

Distr.
GENERAL

CRC/C/SR.675
15 November 2001

ENGLISH
Original: FRENCH

COMMITTEE ON THE RIGHTS OF THE CHILD

Twenty-sixth session

SUMMARY RECORD OF THE 675th MEETING

Held at the Palais Wilson, Geneva,
on Thursday, 11 January 2001, at 10 a.m.

Chairperson: Ms. MOKHUANE

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CONSIDERATION OF REPORTS BY STATES PARTIES (continued)

Second periodic report of Ethiopia

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GE.01-40171 (E) 100701 151101

The meeting was called to order at 10.05 a.m.

CONSIDERATION OF REPORTS OF STATES PARTIES (agenda item 4) (continued)

Second periodic report of Ethiopia (CRC/C/701/Add.7; written replies of the Government of Ethiopia to the questions of the Committee (document without a symbol distributed in the meeting room, in English only) list of issues (CRC/C/Q/ETH/2))

1. At the invitation of the Chairperson, Mr. Sodano, Mr. Tadesse, Ms. Gutta, Mr. Mihretu, Mr. Mengesha and Mr. Alemu (Ethiopia) took places at the Committee table.

2. Mr. SODANO (Ethiopia) said that his country was one of the poorest in the world as a result of protracted and costly civil wars, which had destroyed the country, and the action of past regimes, characterized by poor economic planning and centralized economic policies. It was further exacerbated by factors such as environmental degradation, rapid population increase, structural constraints and an unfavourable international economic environment.

3. The Government had taken steps to bring its legislation into line with the provisions of the Convention on the Rights of the Child and had established various mechanisms to apply them. It had, for instance, set up the National Rights of the Child Committee and rights of the child committees in regions, zones and woredas (districts), as well as in many kebeles (neighbourhoods). Presided over by the Minister of Labour and Social Affairs, the National Committee brought together representatives from various government organs and was responsible for coordinating the efforts made by the Government, the non-governmental organizations (NGOs) and others working for the rights of the child.

4. The strategy for the implementation of the Convention, as defined by the Government, had led to the adoption of several concrete measures. In collaboration with the concerned NGOs, surveys had been conducted of children in difficult circumstances and of harmful traditional practices. In view of the ethnic and linguistic diversity of the country, the Convention had been translated into 11 local languages; in that regard, the assistance given by the NGOs and by the United Nations Children's Fund (UNICEF) must be mentioned, particularly with respect to the printing and distribution of information materials. Over the past decade, extensive efforts had been made by the Ministry of Labour and Social Affairs, the NGOs and the mass media to make the principles of the Convention widely known, especially to young people. If, until recently, public discussions of issues such as female genital mutilation, early marriages and sexual abuse had been considered as taboo, more and more voices were being raised against such practices, even in the remotest parts of the country. Government organs and NGOs also combined their efforts in fighting child prostitution and child labour and took steps to rehabilitate the victims of such practices. Lastly, the federal parliament had enacted legislation for the establishment of the Human Rights Commission and the Office of the Ombudsman, organs that were empowered to receive complaints and review violations of the rights of the child.

5. In spite of those advances, some problems persisted in Ethiopia, such as the absence of institutional structures and appropriate implementation mechanisms, the lack of trained staff and the inadequacy of the financial and material resources needed for the development of sustainable programmes. The war with Eritrea had given rise to economic difficulties which impeded the

effective implementation of the Convention, but the Peace Agreement signed on 18 June 2000, should enable his Government to render the Convention on the Rights of the Child fully effective, in the near future.

6. Ms. OUEDRAOGO said she noted that the report of Ethiopia had been prepared in conformity with the Committee's guidelines. Action plans, studies and research described in the report evidenced the will of the Government to improve the implementation of the Convention. Nevertheless, it seemed that little progress had been made since the consideration of the initial report and that the recommendations made by the Committee following that consideration had not been fully taken into account. However, the objectivity of the report must be acknowledged, which, in its conclusion, referred to the weaknesses in the Convention's implementation, an indication that the Government wished to go forward.

7. The Government stated that it had established a five-year development programme to combat poverty, but she wondered whether it had made a preliminary assessment of that programme and its implications for children. She would also like the delegation to supply more precise information on the results of the various initiatives introduced to combat poverty within the framework of Jubilee 2000. In addition, she would be interested to know if the meeting of international organizations working in the country, recommended by the Committee, had taken place and, if so, what its outcome had been. In the list of issues to be taken up, the Committee had asked the Government to supply extra information on the content of the national plan of action for women and children, as well as the text of national policy regarding HIV/AIDS and its implementation. In reply, the Government had stated that it was unable to do so, due to lack of resources. That was regrettable because, if the action plan and policy had been implemented, the Government must have some useful information. She would like to know what steps had been taken to combat HIV/AIDS since 1998.

8. She welcomed the adoption by the legislative assembly, on July 2000 of texts establishing the Commission on Human Rights and Office of the Ombudsman. She wished to know how the State party proposed to publicize those institutions so that injured victims might have recourse to them. Did the institutions have services for children? If so, what were they? How did they work? What sort of assistance would be available for children? How were children made aware of such services? Lastly, she wished to know whether the National Steering Committee, mentioned in the report and which was supposed to be made up of representatives of several government institutions, United Nations organs and NGOs, had actually come into existence. Was there any coordination among the various human rights organs?

9. She asked if the new family code, being considered by parliament, contained a provision banning shotgun marriages and if the targets of the programmes for the protection of juvenile offenders, particularly children deprived of freedom, had been reached despite the financial difficulties experienced by the State party. The Ethiopian delegation could also clarify whether the new code took account of the concerns expressed by the Committee, whether the directive by the Ministry of Education banning corporal punishment in the schools was being applied and whether it was proposed that a law should be passed to ban parents from inflicting such punishment on their children

10. With regard to the information campaigns carried out to make known the rights of the child she would like to know whether the Government has assessed their impact in view of the fact that only a tiny proportion of the population possessed radio or television sets or had the means to buy a newspaper, not to mention the very high level of illiteracy. To overcome those obstacles, had it recourse to traditional methods of information transmission? Did teachers receive training on the rights of the child and was the Convention taught in the schools?

11. It would be interesting to know whether the State party intended to simplify the procedure for registering NGOs and whether steps had been taken to coordinate the activities of the various international organizations working in the country as well as those being carried out in the context of the national plan of action for women and children.

12. Ms. RILANTONO asked whether Ethiopia had attempted to circulate the Convention, in accordance with the recommendation by the Committee, since the consideration of its initial report and, if so, how it had been received by the public. Although Ethiopia had tried to bring its legislation into line with the Convention, it had also to ensure that the laws were enforced. There was a lot still to be done in that area: the birth registration law, for example, had been adopted more than 40 years previously, but had not yet produced any effect. What was Ethiopia doing to remedy the fact that culture and traditions were opposed to respect for the rights of the child and took precedence over civil and penal law? Had Ethiopia considered approaching the World Bank or other international financial institution to secure financing for its poverty elimination programme and remedy the lack of resources which hindered the implementation of the Convention despite the establishment of various coordination institutions and mechanisms for the purpose? Although child labour seemed an inescapable reality, Ethiopia could nevertheless speed up the process of ratifying ILO Convention No. 182 on the Worst Forms of Child Labour, so as to guarantee a minimum of protection

13. Mr. DOEK said he noted with satisfaction that the Ethiopian Government had made attempts to publicize the principles contained in the Convention, and encourage their implementation, but stressed the fact that awareness and dissemination activities should be accompanied by training programmes especially intended for people who had professional contact with children. The question of training had, incidentally, formed the subject of a recommendation by the Committee after its consideration of the previous report. He would like to know what steps Ethiopia had taken in that regard. As for data collection, it would be useful to know whether the numerous studies mentioned in the report had given rise to disaggregated data usable for statistical analysis. Lastly, the delegation should supply some more precise information on the new family law, especially with respect to the minimum age of marriage and the provisions in the case of rape.

14. Mr. FULCI inquired how many NGOs, dealing with human rights in general and children's rights in particular, had been registered in Ethiopia. In July 2000, the parliament had passed a law setting up a Human Rights Commission and an Office of the Ombudsman and it would be interesting to know when those two institutions were to become operational and if it was intended to establish a post of ombudsman for children. The Ethiopian delegation could also indicate what steps had been taken to fight the practice of marrying off very young girls, sometimes as young as nine, to much older men.

15. Mr. RABAH asked whether the authorities had tried to get tribal and religious leaders to join in the fight against customs that were contrary to the provisions of the Convention. What role was played by NGOs concerned about the rights of the child, and how were their activities coordinated? Lastly, he wondered whether the Ethiopian delegation could indicate whether the Government intended to increase the age of criminal responsibility, which was only nine years old.

16. Ms. KARP inquired whether the national plan of action for women and children was being gradually implemented throughout the country, particularly in remote areas and in the east of the country, where the situation of children was the worst. It would be interesting to know whether priority objectives had been fixed within the framework of the plan of action.

17. It would also be useful to know if information campaigns were organized to promote understanding, by parents, teachers and society in general, that children had rights and what that implied in terms of day-to-day life. Were tribal religious leaders involved in the information campaigns?

18. Ms. TIGERSTEDT-TÄHTELÄ invited the Ethiopian delegation to specify what were the role, mandate, means of financing and priorities of the various national and regional mechanisms designed to implement the Convention and mentioned in the written replies. She also wanted to know why the proportion of the State budget dedicated to health expenditure had fallen from 6 per cent in 1996/1997 to 5.3 per cent in 1998/1999 and what percentage of the budget was allocated to education. In that connection, it was regrettable that Ethiopia seemed to be neglecting social expenditure for the benefit of military expenditure.

The meeting was suspended at 11.10 a.m. and resumed at 11.30 a.m.

19. Mr. SODANO (Ethiopia) said that the National Plan of Action for Women and Children currently being implemented was to be evaluated and that the Committee would be informed of the results of that evaluation. The role and responsibilities of the government bodies in charge of carrying out the evaluation had been properly defined and a National Steering Committee was coordinating the various activities undertaken in that framework.

20. Military expenditure had absorbed a significant share of the State budget for the past three years because Ethiopia had been the victim of an aggression and had had to defend its territorial integrity. In fact, however, Ethiopia had but one real enemy, poverty, and it intended to do its utmost to alleviate it, as it had been doing before the conflict, when the economic growth rate had fluctuated between 6 and 7 per cent.

21. The allocations for education and health had been increasing for several years, to the direct benefit of children. Many primary schools had been built in the past decade and primary education would soon be free for all. The Government's health strategy was essentially preventive. Primary health centres and hospitals were being built and health professionals were receiving the necessary training. Soon all children would have access to drinking water, one of the Government's priority objectives. The federal State set aside large sums for the country's most underprivileged regions.

22. Ms. GUTTA (Ethiopia) said that, in cooperation with international organizations, the Government was implementing a variety of programmes to overcome poverty notably income-generating programmes for poor families so as to enable them to satisfy their children's needs. Activities in favour of children were regularly coordinated by all those concerned, namely, government institutions, religious and international organizations, particularly UNICEF and ILO, and the NGO Save the Children Alliance.

23. Training activities had been organized at all levels in cooperation with a number of organizations for people dealing with children who had been victims of sexual exploitation, ill-treatment, economic exploitation or were street children The Committee's observations and recommendations had been widely circulated and examined by all persons working with children. NGOs and religious organizations were actively cooperating with government bodies to implement the Convention. ILO Convention No. 182 on the Worst Forms of Child Labour was in the process of being ratified.

24. The Government had launched a plan of action aimed at reactivating the regional rights of the child committees; the results would be submitted in the next report. NGOs, whose registration was governed by new guidelines, and the social workers active in the field had training courses. Moreover, a statistical database would be set up shortly in the country.

25. The Ministry of Education was circulating the Convention throughout the education system, ensuring in particular that its principles were incorporated into the school curricula and that teachers received training in the rights of the child. The families, for their part, were kept informed through the children.

26. Mr. TADESSE (Ethiopia) stated that the establishment of a Human Rights Commission and of the post of Ombudsman in July 2000 had been preceded by a very lively discussion in which lawyers, members of civil society and international experts had participated. Two other posts were to be created: one of deputy commissioner for human rights and one of deputy ombudsman for children's rights. The Human Rights Commissioner and the Ombudsman, who had not yet been appointed, would also be responsible for ascertaining that government decisions were compatible with the existing legislation. The Ethiopian Government was endeavouring to make citizens aware of their constitutional rights, but the task was not an easy one because most of the population had access neither to newspapers nor to the radio. Any recommendation the Committee might make concerning ways of spreading knowledge of the Convention among the population would be welcome.

27. The new family law would be applied in the regions by family affairs courts. The law enshrined all the principles set forth in the Convention. In particular, the minimum age of consent for marriage had been raised to 18. Anyone knowing of a young girl who had married under the age of 18 would be authorized to ask for annulment. In parallel to the adoption of the legal measures, the Government was working to heighten the entire population's awareness of the harmful nature of early marriage. Criminal responsibility was still fixed at the age of nine. The general feeling of the population being that that age limit should be raised, the legislature could consider that possibility within the framework of the preparation of the new penal code. The existing penal code still had some provisions authorizing recourse to corporal punishment, but the Constitution expressly prohibited such punishment and the general public was also in

favour of its prohibition. The new penal code could contain provisions along those lines. Traditional customs and practices that were incompatible with the Constitution and the penal code were in principle prohibited.

28. The new family law provided for the registration of births, previously unknown in Ethiopia. Certain regions already had the necessary services. Failure to register births would undermine the application of many new provisions, in particular those concerning the minimum age for marriage.

29. Mr. MIHRETU (Ethiopia) emphasized that the Government had taken steps to improve the status of NGOs, which was governed by the Civil Code. The Committee would be provided with more detailed information at a later date on the NGOs working to protect the rights of children in Ethiopia.

30. Ms. OUEDRAOGO said she would like to have more details on the degree of independence of the Human Rights Commission and the Ombudsman that it was planned to institute. Noting that the report did not deal with general principles, whereas the Committee had expressed concern on that point after its consideration of the previous report, she asked what had been done to take better account of those principles, in particular respect for the opinion of the child.

31. The clause on non-discrimination contained in the Constitution did not explicitly mention discrimination based on a handicap, yet handicapped people were traditionally the victims of attitudes that needed to be corrected. Moreover, people of Eritrean origin had suffered numerous discriminatory acts since the war, such as deportation, and it would thus be useful to know what had been done specifically to protect children belonging to that population group. The federal system itself, inasmuch as it was based on ethnic groups, apparently seemed to be a source of discrimination in certain regions. The long-standing tradition of discrimination based on sex was also a source of concern. Had the impact of programmes carried out to improve the situation of women and girls been evaluated?

32. She would be interested to learn what problems the Ministry of Labour and Social Affairs had encountered in its activities to encourage child participation. Another encouraging initiative that should be renewed - or even institutionalized by establishing a parliament of children - had been the participation of children in a meeting with the authorities in June 1996. Had the declaration issued by the children on that occasion been fully publicized and had any follow-up been given to the recommendations made therein, in particular concerning the rehabilitation of families displaced by the war?

33. Mr. DOEK, recalling that illegal abortions carried out in poor conditions were one of the main causes of maternal mortality, asked what the State party was doing to protect the right to life of the women concerned. The Constitution did, it was true, unambiguously prohibit sexual discrimination, but other pieces of legislation appeared to be less categorical. Thus, certain social practices hampering the prosecution of rapists apparently still continued and domestic violence was apparently not regarded as grounds for divorce. It would be interesting to know whether the new provisions of family law reflected a more egalitarian concept of women. Girls

continued moreover to be the victims of genital mutilation; the public awareness programmes on that topic did not seem to have produced results and, consequently, the delegation might wish to indicate whether the Government intended to resort to other methods.

34. Certain organizations fighting torture had denounced a provision according to which the police could very easily arrest street children, exposing them to the risk of various kinds of violence. What had been done to prevent prolonged periods of police detention?

35. With regard to the protection of the family, it had to be acknowledged that the flight from the land had weakened the role of the extended family, yet the Civil Code was still based on that role. That made the Code inapplicable in practice and gave rise to problems when children were abandoned or their parents died. What specific steps was the State taking to guarantee replacement protection in such cases? Lastly, what was the State party's policy with regard to family reunification? It should be pointed out, in that connection, that the question on the list of issues concerning the rights of displaced and refugee children had not been answered.

36. Ms. KARP expressed satisfaction at the introduction into the Constitution of a provision prohibiting corporal punishment in schools, but regretted that the provision did not cover domestic violence also. She wondered whether the decision to exclude domestic violence from its field of application had been taken following discussions or whether it had been an oversight. In any case, how was protection of children inside the home guaranteed, in accordance with article 19 of the Convention? The Penal Code still had some provisions that were contrary to the Constitution in that regard and the legislature had imperatively to eliminate them to send a clear message to the general public. What practical steps had been taken to implement the prohibition of corporal punishment in the schools? Through what channels could the victims complain? Were the procedures penal or disciplinary and were they rapid? Were statistics available on the number of complaints lodged?

37. Shotgun marriage was another widespread practice of particular concern, and there too the legislative message was not clear. For example, the provision according to which rape was not an offence if the rapist married the victim, far from protecting the latter, encouraged abductions with a view to marriage. Had consideration of the victims' point of view been a subject of discussion in the State party and were there plans to abolish that provision? Why had the proposal to legalize abortion in cases of pregnancy resulting from rape or incest not been accepted and would it be resubmitted to parliament? By the same token, why was incest not a criminal offence in spite of its extreme seriousness?

38. Legislation on the protection of victims of abuse was also inadequate in that there was still no protection provided for the complainant during the police inquiry or the hearing of witnesses in court. Lastly, had any centres been established to provide young people, with due respect for their private lives, with family planning information?

39. Mr. FULCI asked whether it was true that no machinery had been put in place to implement the 1994 law against discrimination in respect of handicapped people and that nothing had been done to facilitate their access to buildings. Furthermore, he wondered whether the delegation could indicate whether the number of handicapped people, estimated at 1 million

in 1994, had substantially increased as a result of the armed conflict and explain what practical steps had been taken to promote their access to the working world and to promote the social integration of handicapped children.

40. Ms. TIGERSTEDT-TÄHTELÄ, recalling that during consideration of the previous report the Committee had recommended that Ethiopia make a greater effort to ensure that children participated at all levels and that their opinions were respected, said she would like the delegation to say whether children were generally considered to have the right to express themselves within the family or at school. Did children have the right to set up their own NGOs and, if so, were they supported in that endeavour by the Government?

41. Ms. RILANTONO said she, too, would like to know whether children's freedom of expression was or was not part of Ethiopian culture. She would also like to have more information on the kinds of infrastructure that had benefited from increased budget allocations. Lastly, being seriously concerned at information from external sources according to which domestic violence and marital rape were relatively widespread, she asked what remedies and structures were available to the female victims of such acts and to what extent they could prosecute the guilty parties.

The meeting rose at 1 p.m.

UNITED
NATIONS

CRC

Convention on the
Rights of the Child

Distr.
GENERAL

CRC/C/SR.676
18 January 2001

Original: ENGLISH

COMMITTEE ON THE RIGHTS OF THE CHILD

Twenty-sixth session

SUMMARY RECORD OF THE 676th MEETING

Held at the Palais Wilson, Geneva,
on Thursday, 11 January 2001, at 3 p.m.

Chairperson: Ms. MOKHUANE
(Vice-Chairperson)

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CONSIDERATION OF REPORTS OF STATES PARTIES (continued)

Second periodic report of Ethiopia (continued)

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GE.01-40195 (E)

Ms. Mokhuane, Vice-Chairperson, took the Chair.

The meeting was called to order at 3 p.m.

CONSIDERATION OF REPORTS OF STATES PARTIES (agenda item 4) (continued)

Second periodic report of Ethiopia (continued) (CRC/C/70/Add.7; CRC/C/Q/ETH/2; written replies of the Government of Ethiopia to the questions in the list of issues (document without a symbol distributed in the meeting room in English only))

1. At the invitation of the Chairperson, the members of the Ethiopian delegation resumed places at the Committee table.

2. Mr. ALEMU (Ethiopia) said he wished to respond to allegations that Eritrean nationals had been expelled from Ethiopia and their property confiscated during the armed conflict. When Eritrea had invaded the country in 1998, some of its nationals in Ethiopia had formed clandestine networks of informants and other agents. On discovering those activities, the Ethiopian security services had taken action against Eritreans who had supported the war of aggression. Some had been ordered to leave the country but the Government had taken great care to ensure that their children and families were not adversely affected. Where the expelled persons had been heads of families, the remaining family members had been given the option of returning to Eritrea or staying on in Ethiopia. No property had been confiscated. Under Ethiopian law, such action could be taken only by order of the courts. In some cases, however, the property of expellees had been sealed or sold by their representatives. Under the peace treaty signed by Ethiopia and Eritrea in Algiers on 12 December 2000, all claims for loss, damage or injury by one Government against the other were to be considered by an international commission of neutral arbitrators. Ethiopia had filed claims regarding, inter alia, Eritrean bombing of schools in Ethiopia.

3. There were over 300,000 displaced persons in Ethiopia, including about 160,000 children and women. Some had fled from the armed conflict and others had been deported by Eritrea. The Government had endeavoured to maintain the family unit and to integrate displaced persons into communities that were generous enough to provide shelter. However, thousands remained in care shelters. The Disaster Prevention and Preparedness Commission provided displaced families with regular rations and basic necessities. It was hoped that they could all return to their homes once progress had been made in mine clearance with United Nations assistance.

4. The Constitution prohibited all forms of discrimination and its human rights provisions imposed standards comparable to those laid down in international instruments. Since 1991 Ethiopia had been moving towards a transparent, multi-party and fully accountable democracy. The different ethnic communities could choose their own official language and facilities for mother-tongue education were provided. There was also one official federal language. The federal system redressed past injustices and reversed the policy of preventing ethnic groups or people of different national extraction from preserving their language and culture.

5. Mr. TADESSE (Ethiopia) said that the independence of the Human Rights Commission and the Ombudsman's Office was a critical issue that had been discussed in detail and provided for in the Constitution. Both bodies were directly accountable to Parliament. The provisions governing the appointment and removal of officials were couched in terms that ensured their independence.

6. Article 621 of the Criminal Code expressly criminalized acts of incest.

7. The position of the husband in the family was addressed in the new Family Code. Under the former Civil Code dating from the 1960s, the husband was explicitly recognized as the head of the family and was given concomitant powers over the person of his wife and all activities in the household. The new Family Code had done away with such manifestations of inequality. The basic principle was that the husband and wife ran the affairs of the family as equal partners. The Code also introduced far-reaching changes in the status of the child. In the previous Civil Code, matters affecting the rights of the child such as guardianship and legal capacity had not been covered by family law but by the law of persons. Under the new Family Code, the child was placed on an equal footing with the husband and wife within the family. A number of provisions governing divorce, proof of affiliation, adoption, administration of finance and other matters had been drafted in the light of the best interests of the child. Children were allowed to participate in matters pertaining to their adoption and were entitled to be heard in court during divorce proceedings. The principles of the Convention had thus been enshrined in a number of areas.

8. He fully agreed that the provision regarding corporal punishment for juveniles should be removed from the Penal Code. Public opinion was certainly in favour of a change but explicit approval by Parliament was required. The provision would doubtless be revoked once the revised Penal Code was adopted. The Ministry of Justice had recently announced that the draft revised legislation was about to be transmitted to the Council of Ministers, which would lay it before Parliament. In the meantime, the sanction contained in the Penal Code could not be imposed by the courts or any other institutions because it was in conflict with an article of the Constitution that prohibited corporal punishment of children. The fact that the family had not been mentioned in that article did not imply that such punishment or any other form of violence was permissible within the confines of the family.

9. With regard to forced marriages, abduction, rape, unsafe abortion and other similar issues, it was to be hoped that the revised Penal Code would introduce standards consistent with the basic principles enshrined in the Constitution and the many human rights treaties that Ethiopia had ratified. It would include, for example, a provision prohibiting female genital mutilation and the penalties for rape would be made more severe. A heated debate on the issue of abortion had been under way for some time and there seemed to be a consensus in favour of some form of legalization owing to the many casualties resulting from illegal abortions. A department at the Prime Minister's Office headed by the Minister of Women's Affairs had been assigned the task of addressing all such issues.

10. Legislation enacted in 1994 provided for equality of opportunity for disabled persons. Once the Ombudsman's Office and the Human Rights Commission were operational, they would deal with any complaints regarding failure to enforce its provisions. Guidelines on enforcement were being prepared and had been submitted to the Prime Minister's Office for consideration.

11. Although the extended family had lost some of its influence in urban areas, it was still the basic family structure in Ethiopia, since 85 per cent of the population still lived in rural areas. The guardianship arrangements in the new Family Code and many provisions of the Civil Code took such extended family relationships into account.

12. The human rights situation in Ethiopia was improving apace. In less than a decade a number of international human rights treaties had been ratified and basic human rights criteria had been enshrined in the new Constitution. The judiciary was independent and there were various mechanisms and procedures for remedying human rights violations. Under the former regime no freedom of speech had been tolerated, but now Addis Ababa was renowned for its thriving newspaper industry.

13. Ms. GUTTA (Ethiopia) said that article 35, paragraph 4, of the Constitution sought to eliminate harmful customs, laws and practices, such as wife-beating, that oppressed or caused bodily or mental harm to women. The revised Family Code also prohibited wife-beating. No study had been undertaken to date of the phenomenon of marital rape. An association of women supported by a special fund had been established to oversee the enforcement of the new family legislation.

14. A number of non-governmental organizations (NGOs) had begun to coordinate their human rights efforts through networking and exchanges of information and resources.

15. On the Day of the African Child each year, Ethiopian children were invited to meet senior officials in order to discuss their right to education and development and ways of ensuring that the best interests of the child were served. On Ethiopian Christmas Eve, HIV-infected orphan children had been invited to dinner with the President and the Minister of Labour and Social Affairs.

16. Mr. SODANO (Ethiopia) said that the country was just beginning to address harmful cultural practices which, in addition to their other adverse consequences, were hampering development efforts. Steps had been taken, in schools, hospitals and other contexts, to raise community awareness, and the legal prohibition of female genital mutilation had begun to be enforced. The decentralized federal system of government ensured that policies were implemented throughout the country at grass-roots level.

17. For the past five years, the Government had been actively pursuing a policy of family reunification to ensure that children were brought up in a family and community environment rather than in an institution.

18. In the past, communities had held a superstitious view of disability but disabled children were now treated just like other children. Special programmes, schools and kindergartens had been established. The Organization for Disabled Persons worked closely with the Government in developing sound policies.

19. Girl children had not, in the past, been treated on equal footing with boys, especially in remote areas. But the Government was doing its best to address the problem and to provide equal opportunities for girls both in law and in practice.

20. The "Children's Parliament" had met with the federal Parliament and the Prime Minister to discuss the right to education and other issues. Careful note had been taken of the points made on that occasion and the Government would take them into account in its future policy decisions.

21. Ms. OUEDRAOGO said that the question concerning the reintegration of children displaced by war had not been fully answered. On a related issue, there had been an increasing number of children born in Ethiopia to foreign parents. With regard to civil rights and freedoms, were there any special arrangements for such children, given that they did not possess Ethiopian nationality?

22. She welcomed the decision to issue a government directive concerning the need to stress the best interests of the child when considering cases of adoption, but she would be grateful for more information about how it was being implemented, including details of any monitoring mechanisms. Were steps being taken to formalize arrangements regarding traditional forms of adoption in order to provide more effective protection to the child? Despite Ethiopia's failure to ratify the Hague Convention on the Protection of Children and Co-operation in Respect of Intercountry Adoption, the number of international adoptions outweighed the number of domestic cases. She would appreciate information on the monitoring of international adoption and whether the Government was trying to encourage the adoption of nationals.

23. She asked whether young people would be included in the Government's proposed reproductive and sexual health-care programme. In view of the high rate of teenage pregnancies as well as the spread of AIDS, it was to be hoped that was the case. Statistics from 1994 had pointed to the severe lack of social services as well as the absence of an effective social security system. What had been done since that time to improve the situation, and did the poorest sections of the population have access to free health care? With regard to childbirth care in particular, since only 9 per cent of mothers were assisted by trained midwives, were there plans significantly to improve that ratio in the Government's five-year health programme? It would also be interesting to know whether the promotion of breastfeeding, particularly in urban areas, was a priority for the Government.

24. Mr. RABAH, while welcoming the decision to provide children with the opportunity to participate in sessions of the Federal Parliament once a year, asked whether similar, more frequent, arrangements could be made at the local government level. The right to be heard also meant children's views being taken into account - and acted upon - in a variety of settings,

especially in court. He welcomed the step of relegating imprisonment to a last resort in juvenile justice but would be interested to hear the Government's proposals for alternative sentences. Lastly, could the delegation elaborate on the situation of street mothers, including the programmes designed to protect them?

25. Ms. KARP said she appreciated that corporal punishment had been abolished as an official court sentence; her question referred to a different instance. Articles 64 and 548 of the Penal Code made a justification for reasonable chastisement to be employed by institutions as well as parents. That would not appear to be a violation of the Constitution, which referred only to official punishments. What was the delegation's interpretation of the Constitution on that point? She asked whether there were sufficient complaint and punishment mechanisms to deal with violent teachers who abused their right to chastise.

26. In her understanding there was no specific criminal prohibition of incest. If it was treated as any other type of abuse, that meant punishment by a minimum of three months' imprisonment. In her view, such treatment belittled what was an extremely serious offence. Were there any proposed changes to criminal law in that regard? She inquired about the procedure to support abused children when they were required to give evidence in court. Were there specialists trained to ask questions in such a way as to alleviate the harrowing nature of the experience and was there provision for filming children's testimony rather than requiring them to appear in court?

27. Raising awareness of the harmful nature of female genital mutilation was not sufficient. The promotion of an alternative ceremony, which had become a widespread practice in some areas, would be a more effective way of putting an end to mutilation. The method, which had been successful in Ghana, consisted of a symbolic initiation of the child, and worked because it provided an alternative means of satisfying the cultural desire for ritual. As the task of raising awareness was so huge, did the Government provide funding to train personnel for that purpose, or were such activities being carried out by untrained volunteers?

28. She asked whether a legal loophole still allowed a perpetrator of rape to escape punishment if he married his victim. With regard to AIDS, her main concern was for the rising number of orphans left by the disease. Could more be done to support the extended families of orphans to persuade them to look after children who would entail an added financial burden? Were specific programmes being pursued to cope with the problems of orphans?

29. Under the current arrangements for juvenile justice, children between the ages of 15 and 18 were treated as adults. Although she did not question the decision to impose harsher punishments on older children, it was contrary to the spirit of the Convention to treat persons under the age of 18 in the same way as adults. Ethiopia was to be commended on having a separate justice system for children, but there was no justification for stopping it at the age of 15. She was also concerned by article 4771 of the Penal Code, which provided for street children to be detained and referred to the criminal courts. She failed to understand the benefit to society of treating the most vulnerable individuals as criminals. Would it not be more profitable to protect such children, rather than to burden them with the stigma of detention?

30. She welcomed the decision taken by the Minister of Education to make improved child participation in the education system an official policy, and would appreciate more details of how the initial programmes were being implemented.

31. Mr. DOEK asked whether the delegation could elaborate on the existence of community-based child support programmes and instances of children in non-formal education. Given the current difficulties in sustaining the education system in Ethiopia, non-formal education could be a possibility worth pursuing. What was the Government's position on such a practice and how frequently did it occur?

32. Paragraph 64 of Ethiopia's report referred to a project designed to provide support services to 1,100 street children, but there were 100,000 street children in Addis Ababa alone and 150,000 throughout the country. Was the Government working hard to provide urgent medical and educational services to as many of those children as possible, even if it could not find enough adequate places for them to stay?

33. Regarding juvenile justice, article 20.5 of the Constitution stipulated that every child had a right to legal counsel, but there appeared to be certain limitations to that right. As he understood it, that right could be denied when a child faced charges of a very serious nature, which was precisely when counsel was needed most. Furthermore, a lawyer was not required if a child was represented by a parent or guardian. Was that indeed the situation and, if so, was the Government considering a change to the law? A number of juvenile courts now existed in Ethiopia, but the system itself still appeared to be fragmented. It would be useful to learn what plans there were to address that problem.

34. He would be grateful if the delegation could clarify whether children sentenced to imprisonment were kept separate from adult detainees. He understood that the correctional prisons were used only for children convicted of minor offences. Conditions in correctional institutions were reported to be poor, the facility in Addis Ababa accommodating some 300 children, with as many as 12 per cell. According to the Penal Code, prison governors were entitled to impose solitary confinement should they deem it appropriate. That applied equally to children aged 15 to 18, who were treated as adults in the criminal justice system. Did the Government intend to curtail the power of prison governors to use solitary confinement for detainees under the age of 18, given that it was not in accordance with either the Convention or other international standards such as the Beijing Rules? In the light of such considerations, would the Government consider introducing full juvenile justice regulations for all persons under the age of 18?

35. Ms. RILANTONO expressed concern about the inadequacy of health services, which reportedly covered less than half the population. Were any efforts being made to build up the country's infrastructure, in particular first referral centres? With HIV/AIDS affecting 7.4 per cent of adults in 1998, the number of orphans was bound to increase. Had the Government accelerated investment in any areas to cope with that problem? There had been a gradual reduction between 1990 and 1998 of female genital mutilation thanks in large part to the work of the National Committee on Traditional Practices of Ethiopia (NCTPE). Could the delegation describe how that body had succeeded, albeit slowly, in reducing FGM? Perhaps it would be advisable to intensify its work.

36. Ethiopia had a shortage of schools, nurseries and playgrounds. In that context, it would be of interest to find out what impact the new economic liberalization policy would have on education. The Government was reportedly encouraging foreign and domestic investment in education. On the one hand, such investment could be very helpful, but on the other hand it might lead to even greater disparities in educational opportunities for children.

37. The report suggested that in many cases street children were best assisted by being reunited with their families. However, street children were often orphans or runaways. An assessment of the situation would be useful to help determine the best policy to pursue.

38. While children needed food, schooling and skills, the provision of welfare services and assistance would not in themselves suffice to ensure that their rights were respected. A rights-based approach would give them the confidence and self-esteem they needed to sustain themselves and would allow for their full development.

39. Ms. OUEDRAOGO inquired about the national policy for the control of HIV/AIDS, which had been adopted only as late as 1998. Was it currently being implemented, and if so, what impact had it had? In what ways did it address the needs of adolescents? The report did not clearly state whether a programme was in place for AIDS orphans. According to some reports, AIDS patients were the subject of discrimination. Was that the case among children as well? The transmission of HIV/AIDS from mothers to children was also a matter of concern. Was triple combination therapy available for treatment in such cases? The Government had taken measures to reduce the drop-out rate among girls; she asked what their effectiveness had been. She would also like to know whether the education system took pupils' health into consideration, and whether there were sufficient recreational facilities at schools and pre-school institutions.

40. After considering Ethiopia's initial report the Committee had expressed concern about the shortage of trained teachers, in particular in rural areas, and about the divergence of school curricula from cultural and social realities. Had the State party attempted to rectify the situation? She would also welcome information on environmental protection measures taken by the Government.

41. Were the subjects of peace and tolerance, sexual education and reproductive health included in the educational curriculum? Noting that pre-school care was provided by NGOs and private organizations, she asked whether the Government imposed any quality standards. What action did the Government intend to take in order to improve the lot of children who had no access to pre-school care, which was of prime importance for psychological development? The education budget in the capital was constantly rising. Was that the case in the regions as well? In her opinion, more efforts should be made to improve the education of girls and to increase the number of women teachers, which was still very low at the primary and secondary levels.

42. There had been some allegations of illegal arrests of refugees, who were reportedly held for relatively lengthy periods without due process. Some had been subjected to ill-treatment by the police. While capital punishment was not invoked against children in practice, certain articles of the Penal Code stipulated that young offenders between the ages of 15 and 18 who committed serious crimes and were considered as dangerous to society could be sentenced to

death or life imprisonment. Such provisions were a matter of concern to the Committee. Would the revision of the Penal Code eliminate them, in accordance with the Convention? The reports of lengthy detention of minors by the police were alarming, especially as such practices were prohibited by Ethiopian law. In principle, pre-trial detention must not exceed 14 days, which was already a long time for cases involving children. In the case of recidivist juvenile offenders, pre-trial detention could be extended still further. Perhaps the revision of the Penal Code could shorten those periods.

43. Sexual exploitation of children apparently persisted, despite the efforts made by the Government to check it. Another problem of concern was the migration of unaccompanied Ethiopian minors into neighbouring countries, where they became street children and were left without protection. Were the Ethiopian authorities aware of that problem, and what measures did they intend to take to provide protection to such children?

44. Mr. FULCI asked whether the delegation might elaborate on certain disparities between law and practice. For example, although the Labour Code was quite progressive in restricting child labour, it was still pervasive. Many Ethiopian children worked as shoeshiners, porters, lottery ticket vendors and animal herders, and it was commonplace to find child domestic workers in Ethiopian homes. According to one estimate, about 30 per cent of workers on State farms were children between the ages of 7 and 14, who were typically forced to work six-day weeks with no benefits, for under $10 per month. At one plantation, three quarters of the children in the workforce had been obliged to work 12-hour days. Could the delegation comment on those reports and describe the measures the Government could take to combat child labour? Was there any cooperation between the International Labour Organization (ILO) and the Government in that field?

45. Although the law prohibited trafficking in persons, reports indicated that Ethiopian girls were taken to countries in the Middle East and to Italy to work as house servants and nannies, and that some of them had been abused. What was the Government's view concerning those allegations? According to one NGO, girls as young as 11 were recruited to work as prostitutes and were kept ignorant of the dangers of HIV/AIDS. Poor rural families had apparently been selling their young daughters to hotel and bar owners on the main trucking routes for that purpose, and the unwanted babies of those young girls were often abandoned at hospitals and police stations. Had the Government taken any measures to counter that practice?

46. According to the policy adopted by the Ministry of Defence, the armed forces should not enlist persons under the age of 18. In practice, however, some young boys who had been unable to prove their age because they did not have birth certificates had been forcibly recruited. Would the Government take any steps to place the burden of proof on the military? There had also been some evidence that children as young as 14 had been permitted to join local militias with the consent of village leaders.

47. Ms. KARP, citing the reference in the report to the Committee's recommendation on technical assistance, asked whether any applications had been filed for technical assistance in restructuring the juvenile justice system. The adoption of legislation appeared to take a very long time in Ethiopia; certain legislative measures had still not been adopted four years after

the Committee had issued its concluding observations concerning the initial report (CRC/C/15/Add.67). What accounted for such delays? While it was commendable that the Convention had been printed and distributed, why had it not yet been published in the Official Gazette? The Committee had referred in the concluding observations to the need to ensure adequate recourse and complaints procedures for child victims of sexual abuse. While the situation had apparently improved in the capital, she was concerned about a possible lack of procedures for filing complaints in other regions.

48. The CHAIRPERSON, speaking as a member of the Committee, inquired about the human and financial resources of the Children, Youth and Family Affairs Department (CYFAD). That body had a very broad mandate, as it was in charge of coordinating work related to the Convention as well as activities related to child labour and orphanages.

The meeting was suspended at 4.50 p.m. and resumed at 5.10 p.m.

49. Mr. ALEMU (Ethiopia) said that there was a well-established practice in Ethiopia whereby youths were encouraged to form clubs and associations in schools and neighbourhoods. New children's NGOs were always being formed. One had recently obtained consultative status with the Economic and Social Council. Replying to a question about statelessness, he said that some Eritrean nationals had been involved in illegal activities which jeopardized Ethiopia's national security. When they had been deported, their nationality had been invoked. The Ethiopian law governing nationality dated back to the 1930s, and precluded the possibility of double nationality. Therefore, Ethiopians who acquired another nationality automatically lost their Ethiopian citizenship. Ethiopia was not a party to the Convention on the Reduction of Statelessness. Cases of foreign stateless persons were handled with the Office of the United Nations High Commissioner for Refugees (UNHCR).

50. The allegations of detention of refugees were unfortunate and baseless. Ethiopians considered themselves a hospitable people, always ready to accept refugees from neighbouring countries, especially as Ethiopians had themselves been forced in large numbers to seek refuge in neighbouring countries such as the Sudan and had been well received there. The reports of UNHCR would attest to the quality of treatment of refugees in Ethiopia. At no time had the Government carried out arrests of refugees Regardless of whether a person was a refugee, he or she could not be detained without a warrant and could not be held without charge for more than 48 hours, failing which a writ of habeas corpus could be filed. That would lead to the person's immediate release.

51. Mr. SODANO (Ethiopia) expressed his appreciation for the Committee's concern for the problems of HIV/AIDS, which had already had a devastating effect on the country's workforce and children. The Government had set up a council to coordinate policy in combating HIV/AIDS, and the Ministry of Labour and Social Affairs was represented on that body. The Government had agreed to pool resources with international financial institutions to alleviate the problem. To the extent possible, care for AIDS orphans was arranged within their communities, either by placement with family members or in shelters. If no other solution was available, they were placed in institutions. There were plans to carry out a survey to obtain a better idea of the extent of the problem.

52. Child labour was a complex and challenging problem. In many cases, children in rural areas had no other opportunities, and work was the only way for them to play a role in society. A survey of child labour was to be carried out by the Central Statistical Authority and ILO in order to help draw up an effective public policy. The Government had issued a code three years before to deal with trafficking in girls, and had set up a system under which any person wishing to work abroad must apply for a permit through an authorized agency. Nonetheless, illegal trafficking persisted, and people found guilty of involvement in such activities were held accountable for it. The social security system did not yet cover all workers, but there were plans to extend it to include workers in the private sector.

53. Ms. GUTTA (Ethiopia) said that the Government's new health policy was aimed at providing comprehensive primary health-care services at the community level. The Government provided prenatal and post-natal care to the extent possible, given its resource constraints. Rehabilitation centres for child prostitutes were run by various NGOs, and medical services were provided for some child prostitutes, although not all benefited from such assistance.

54. Mr. TADESSE (Ethiopia) said that the new Family Law had established provisions to ensure that there were no illegal adoptions, which were adverse to the interests of the child. The courts, which had to approve all adoptions, would not approve either domestic or international adoptions without ensuring that the prospective parents would be able to bring up the child in a proper manner. The Ministry of Labour and Social Affairs was specifically entrusted with the task of making inquiries and reporting to the court, particularly in cases of international adoption when additional information was required about the personality and the financial situation of the prospective parents. Moreover, the Family Code included new precautionary provisions to ensure that adoption would not be used in order to exploit the children involved, as it had been in the past. The Ministry of Labour and Social Affairs had introduced a stringent post-placement reporting system; reports had to be submitted regularly until a child attained 18 years of age and, when necessary, visits were made.

55. The new Family Law was at the federal level, but there were also new family laws at the regional level, and they all included provisions for children in the case of divorce. Previously, children under five years of age had always been left with the mother, but now custody could be awarded to the father, when that was in the best interests of the child. The new legislation also included children's right to be heard in cases of divorce or administration of their assets.

56. With regard to alternative measures for young offenders, imprisonment was a measure of last resort; prior to that, curative measures were implemented. Once the court had decided to impose imprisonment, the law required that a child should not be imprisoned in a prison for adults. Unfortunately, Ethiopia was unable to fully satisfy that provision, owing to lack of resources. However, as it had suffered from the effects of child offenders becoming hardened criminals due to detention in prisons for adults, efforts were under way to enable it to comply with the law. Three juvenile detention centres were under construction, in Addis Ababa, in Tigrai and in the southern region.

57. The Constitution prohibited corporal punishment, and any organ of Government or individual handling matters pertaining to children should be guided only by the Constitution and not by any other provisions in the Penal Code that might allow it; such provisions would soon be eliminated.

58. He agreed that it was taking a long time to change the laws or enact new legislation in Ethiopia; that was due to lack of resources. In addition, the Government had just established the Law and Justice Reform Institute with the mandate of ensuring that all legislation was consistent with the basic principles of the Constitution and the international treaties to which Ethiopia had acceded. It was evidently very time-consuming to revise all the codes that had been in use for a considerable number of years, most of them drawn up by non-Ethiopians.

59. Current legislation included provisions on incest, although the sanctions were not as severe as they should be; that would be taken into consideration in the revision of the Penal Code. Once again, however, it would take time.

60. Measures were being taken to make the Penal Code child-friendly, particularly in cases of child abuse. An effort was being made to adopt systems in use in other countries; for example, conducting matters in camera when a child was the victim and endeavouring to make the court atmosphere more child-friendly. In cases of rape, currently if the perpetrator married the victim, he could not be prosecuted; therefore, women were doubly victimized. The revised Penal Code would tackle that issue also.

61. The Penal Code established special arrangements for four different age groups: under 9 years of age; from 9 to 15 years; from 15 to 18 years and over 18 years of age. The Committee had asked why children between 15 and 18 years of age were at times treated as adults. It should be remembered that the Code had been adopted 40 or 50 years earlier, before the protection of the child had become an international priority and, as mentioned, it was being revised.

62. The Committee had expressed concern that the article of the Penal Code on vagrancy might be used against street children. However, before a child was taken into custody, a special procedure had to be followed, which included obtaining a warrant from the court. In general, a person could be held in custody for only 48 hours before he or she had to be produced in a court of law. Moreover, there were special provisions for dealing with children, including the requirements that a child had to be produced to the court instantly and that the investigation had to be conducted without detaining the child.

63. Although the legal system allowed custody for 14 days in the case of adults, it was not permitted in the case of young offenders. Recently, a series of seminars had been held for the judicial organs - the police, public prosecutors and judges - because there had been some misunderstandings with regard to procedures in the case of child offenders. Previously, only one court could handle matters involving children; now any trial court could handle criminal proceedings where children were involved and that had helped protect children and eliminate delays.

64. Ethiopia did not have a juvenile court per se. The federal court comprised different divisions, including a family division. However, currently every criminal division could handle juvenile cases in order to expedite matters. Regional governments were following the same system. The higher courts handled only a very limited number of more serious cases, such as those involving a life sentence.

65. With regard to restrictions on the right to counsel, the Constitution stipulated that everyone was entitled to counsel when charged with a serious offence and when there would be injustice if the trial were to be conducted without counsel. Under the criminal procedure, there was a similar provision; if child offenders could not be represented by their parents, then they had the right to be represented by counsel.

66. It was possible for a child of 15 to 18 years of age to be sentenced to solitary confinement. The procedure for younger children was very different and, at times, the provisions for the under-15 age group were used for children of 15 to 18 years of age.

67. With regard to the burden of proof, it was alleged that a child was supposed to prove his age in order to avoid recruitment. The basic problem stemmed from the absence of birth registration. The best way to defend the interests of the child would evidently be to establish a civil registry and that was under way. However, currently, a combination of factors were used to verify the age of a child, such as the educational records and the knowledge of family elders, which generally provided fairly accurate information.

68. The fact that the Convention had not been published was not due to an absence of commitment on the part of the Government. Ethiopia was a party to various international conventions and they were as binding as any other piece of legislation. The Government was aware that they should be published in order to raise pubic awareness; however, it had not been done, usually due to general technical difficulties.

69. Ms. OUEDRAOGO said that the Committee had greatly appreciated the very constructive dialogue with the Ethiopian delegation, whose precise replies had allowed members to obtain a better comprehension of the situation of the child in Ethiopia. There were many positive aspects, such as the adoption of the Family Code, the work to amend the Penal Code, the raising of the age limit for marriage and the increase in budget. The Committee had taken note of the problems and hoped that its observations would be taken into account in the revised Penal Code, so as to harmonize it with the Convention.

70. Unfortunately, the plan of action did not have an integrated perspective and the delegation had acknowledged that it needed to be revised. The Committee hoped that the new institutions that were established would help Ethiopia implement the Convention in a more coordinated manner.

71. The Committee accorded great importance to the issue of corporal punishment, and hoped that its concerns would be reflected when the relevant part of the Penal Code was revised. Genital mutilation of girls and women continued to be a serious problem; the delegation had

mentioned that it was difficult to achieve a change in attitude, but it was necessary to persevere in the application of the measures contemplated and Ethiopia could learn from the experience of other African countries which were dealing with the issue.

72. There were shortcomings in the area of the administration of juvenile justice and the Committee hoped that its concerns and observations would be taken into account.

73. The CHAIRPERSON thanked the delegation for its frank and cooperative dialogue with the Committee and suggested that any outstanding questions could be answered in writing.

74. Mr. SODANO (Ethiopia) thanked the members of the Committee for their constructive observations and said that he would transmit their concerns to the relevant persons and bodies. The additional information required would be forwarded in the coming weeks.

75. In addition to the Convention on the Rights of the Child, Ethiopia had ratified the ILO Minimum Age Convention, 1973 (No. 138) and was in the process of ratifying the ILO Worst Forms of Child Labour Convention, 1999 (No. 182) which demonstrated its commitment to protecting children and improving their well-being.

76. He expressed appreciation to the United Nations agencies and NGOs that had provided assistance in the implementation of the Convention and, in particular, to UNICEF for making his delegation's presence in Geneva possible.

77. The CHAIRPERSON said that the Committee hoped that its observations would make a difference to the situation of children in Ethiopia and praised the delegation for the quality of its participation.

The meeting rose at 6.05 p.m.

UNITED
NATIONS

CRC

Convention on the
Rights of the Child

Distr.
GENERAL

CRC/C/SR.677
8 June 2001

ENGLISH
Original: FRENCH

COMMITTEE ON THE RIGHTS OF THE CHILD

Twenty-sixth session

SUMMARY RECORD (PARTIAL)* OF THE 677th MEETING

Held at the Palais Wilson, Geneva,
on Friday, 12 January 2001, at 10 a.m.

Chairperson: Ms. OUEDRAOGO

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COOPERATION WITH OTHER UNITED NATIONS BODIES, SPECIALIZED AGENCIES AND OTHER COMPETENT BODIES

* No summary record was prepared for the rest of the meeting.

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The meeting was called to order at 10.10 a.m.

COOPERATION WITH OTHER UNITED NATIONS BODIES, SPECIALIZED AGENCIES AND OTHER COMPETENT BODIES (agenda item 5)

1. The CHAIRPERSON invited the speakers whose names were included on the list to give a brief account of the activities of the organizations they represented before engaging in a dialogue with members of the Committee.

2. Ms. MILLER (UNICEF) recalled that more than 1.2 billion people, half of whom were children, were living on less than a dollar a day, that the AIDS epidemic had created 13 million orphans and that 110 million children of school age - mainly girls - were receiving no education. Some progress had, however, been made in terms of the protection and welfare of the child: the Convention on the Rights of the Child had been ratified by almost all countries; poliomyelitis had virtually disappeared; support for children had never been as strong as it was today.

3. In cooperation with other partners in the United Nations system, NGOs and the private sector, UNICEF planned to take advantage of those encouraging trends and launch a movement aimed at creating a world where every child's right to dignity, security and self-fulfilment would be a reality. The catalysts of the global movement for children would be the special session of the General Assembly on children (scheduled for September 2001), the "Say Yes for Children" campaign - based on 10 major principles for defending and protecting children, and the mobilization of partners and personalities such as Mr. Nelson Mandela and Ms. Graça Machel.

4. On the occasion of the special session of the General Assembly, which would be a direct follow-up to the World Summit for Children held in 1990 and the mid-decade and end-decade process, the Secretary-General would be submitting a report based, among other things, on reviews by every country of the results achieved during the decade, particularly in terms of implementation of the Convention. Those reviews - 35 of which had already been communicated to the secretariat - would be very useful to the Committee. The Secretary-General's report would also contain contributions from the Committee on the Rights of the Child, WHO, ILO, the Office of the United Nations High Commissioner for Human Rights and others. The special session should lead to an increased commitment on the part of Governments to the rights of the child - in the form of increasing the resources allocated to the sector and adopting the necessary legal reforms - and, beyond that, to more active participation by civil society, the private sector and children themselves.

5. At the international level, it was UNICEF and other agencies in the United Nations system, international NGOs, donors and the private sector that would be engaged in advancing the cause of children. Finally, the "Say Yes for Children" campaign would employ traditional means of communication as well as the Internet.

6. Ms. SORGHO-OUEDRAOGO (ILO) emphasized that the campaign for ratification of ILO Convention No. 182 on the worst forms of child labour had been crowned with success since it had been ratified by 57 countries, and 10 other countries had announced their intention of doing so.

7. The global mobilization to eliminate child labour had also led to many countries ratifying Convention No. 138 concerning the minimum age of employment. Those good results were due to the joint efforts of the International Programme on the Elimination of Child Labour (IPEC), the Committee on the Rights of the Child and UNICEF, among others, and also to the new methods used at the national and international levels during the mobilization campaign. In that connection, ILO expressed its gratitude to the Committee for its continued support in recommending countries whose reports it was considering to ratify ILO Conventions Nos. 138 and 182.

8. IPEC had also been engaged in strengthening effective implementation of the Conventions by providing technical assistance. The financing of IPEC - whose programmes brought together more than 100 countries and 25 donors - had made very great progress in the past year. IPEC had drawn up a number of multi-stage programmes to accelerate the process of eradicating the worst forms of child labour. That approach linked action against child labour to the national development effort as a whole: Tanzania, Nepal and El Salvador had already committed themselves to participate.

9. Work relating to the Convention had shown that the developed countries too were concerned by the worst forms of child labour. National surveys had been conducted with the help of IPEC in Portugal and Italy. A seminar on child labour in developed countries was to be held in Portugal in February 2001, and a programme to combat child labour would be drawn up after that. Thanks to the programme for gathering statistics which had been launched in 1998, very detailed information on child labour was now available for more than a dozen countries and that figure should reach 30 by the end of 2001.

10. ILO intended to play an active role in the General Assembly's special session on children, and had contributed to the draft "outcome document" by way of a report recapitulating the activities it had undertaken in the areas of child labour and the protection of children. ILO was concerned that the document did not give sufficient consideration to child labour issues. It would be making its views known at the forthcoming meeting of the preparatory committee, and would be participating in the Second World Congress against Commercial and Other Forms of Sexual Exploitation of Children.

11. Mr. STAHLHOFER (WHO) recalled that his organization regularly transmitted to the Committee information on the health of children in States parties whose reports the Committee was considering. WHO was keen that its staff should be better prepared to contribute to implementation of the health element of the Convention, and was in the process of providing it with information documents on the subject and organizing seminars on the Convention aimed at its regional staff and representatives of ministries of health and other ministries concerned. A three-day seminar had been held in April 2000 at WHO's Regional Office for Europe in Copenhagen, with the participation of Tajikistan and Kyrgyzstan, and another seminar had been held in September 2000 at the Regional Office for South-East Asia; others were to be organized in collaboration with UNICEF. In conjunction with various NGOs, WHO had also undertaken a project for planning and programming in the health area based on the Convention. The broad outlines of the project, which would last two to three years, would be presented to the Committee at its twenty-seventh session for comments.

12. WHO was participating very actively in the preparations for the General Assembly's special session on children, and only a few days before it had been studying the draft outcome document of the session with UNICEF. The two organizations did not consider that health had been given the attention it deserved in the document, and had therefore decided to act together to remedy the situation and draw up more appropriate health indicators.

13. Ms. THEYTAZ-BERGMAN (NGO Group for the Convention on the Rights of the Child) said that the Group intended to ensure that the rights of the child and the Convention were at the heart of the General Assembly's special session on children. The Group had met during the first preparatory committee session and established an Internet discussion group (http://www.crin.org) which was open to all and already had 150 participants, both individuals and NGOs.

14. The Group had transmitted to the Committee a document entitled "Child rights agenda for the coming decade", which was to serve as a basis for discussions with Governments and in which it was emphasized that, from the NGO perspective, the special session should be used to define practical and sustainable ways of fully implementing the Convention as rapidly as possible worldwide. That needed to be achieved by making the provisions of the Convention more binding, and reinforcing the means of implementing them and monitoring mechanisms.

15. The Group was also working on a text, which could be consulted on the above-mentioned Internet site, highlighting the strengths and weaknesses of the draft outcome document "A world fit for children", and which contained a number of recommendations for improving it. It was also drafting a parallel outcome document which would be distributed to Governments. In collaboration with UNICEF, the Group would be collecting comments on the draft from young people, and would summarize them in a paper which it would be submitting to the preparatory committee.

16. As a prelude to the preparatory committee's session, a two-day meeting would be held to prepare children to participate in the special session. In that connection, UNICEF had prepared a guide for young participants, and a letter had been sent to all Governments asking them to ensure that young people were included in their delegations attending the meeting.

17. Lastly, the Group considered that the Committee had not so far been adequately associated with preparations for the special session, and would like it to make observations on the draft outcome document and recommendations to the preparatory committee.

18. Ms. SACKSTEIN (NGO Group for the Convention on the Rights of the Child) said that the Group had developed a programme with a view to preparing, in close collaboration with various United Nations agencies, including UNICEF, ILO, WHO and UNESCO, for the Second World Congress against Commercial and Other Forms of Sexual Exploitation of Children, to be held in Yokohama (Japan) from 17 to 20 December 2001. The international preparatory committee had already met twice and would ensure that the Congress took into consideration the results of the various events that would be taking place in 2001 and in various respects concerned children, particularly the General Assembly's special session on children and the World Conference on Racism.

19. The international preparatory committee had set four main objectives for the Congress: increasing political commitment to implementing the plan of action adopted at the first Congress and the Convention on the Rights of the Child; evaluating progress made in implementing the plan of action and sharing competencies and good practice; identifying the main difficulties and/or shortcomings in implementation of the programme to counter commercial sexual exploitation of children; strengthening the follow-up process of the World Congress, particularly by defining regional priorities with a view to extending the support given to local initiatives.

20. Six major themes would be dealt with at the Congress: trafficking in children with a view to their sexual exploitation; legislation and law enforcement; prevention, protection and reintegration of child victims of sexual exploitation; the profile of the sexual exploiter; child pornography; the role and participation of the private sector.

21. The Group considered that an examination should be made of the environment in which sexual exploitation of children took place, and measures should be taken to make such practices an offence at the global level and to prevent child victims being punished. There should also be a more vigorous commitment to combating sexual exploitation of children from sectors other than those in which substantial progress had already been made, particularly tourism and the Internet. The international preparatory committee had also considered that it was necessary to strengthen cooperation and coordination in the areas of prevention, protection, rehabilitation and reintegration of child victims of sexual exploitation.

22. Finally, it would be a good idea if the Committee on the Rights of the Child were to meet representatives of various Governments before the Congress in order to consider what measures to take in order to strengthen enforcement of the articles of the Convention concerning the exploitation of children.

23. Mr. DOEK emphasized that, when considering periodic reports, it would be useful if the Committee had at its disposal up-to-date information on IPEC programmes in the State party whose report was being considered, particularly information regarding the possibility of reproducing those programmes in other regions with similar conditions. The information provided by WHO about the various countries was also very useful, both for the Committee's preparatory session and for the consideration of periodic reports.

24. He noted with satisfaction the contribution NGOs had made to the preparations for the special session of the General Assembly on children and their compilation of a programme concerning the rights of the child for the forthcoming decade. The Committee would consider that document and the draft outcome document during the current session, so that it could submit its comments before the preparatory committee's second session. The Committee would circulate its comments as widely as possible in order to stimulate a constructive debate between all the parties concerned.

25. Mr. RABAH asked whether NGOs were considering the establishment of a coordination and cooperation mechanism which would enable them to combine their efforts with those of the specialized agencies of the United Nations and the Governments concerned. Were conferences being organized at the regional or international level to lay the foundations for cooperation and coordination of the various activities?

26. Ms. KARP welcomed the work undertaken by NGOs in anticipation of the special session of the General Assembly and the fruitful collaboration by all parties in that process. That collaboration, which she would like to see continued after the special session, should concentrate on implementation of the Convention.

27. The CHAIRPERSON said that consideration should be given to the contribution the Committee should make to initiatives planned by NGOs.

28. Ms. RILANTONO emphasized that, in order to yield sustainable results, the struggle against child labour should be placed in the broader context of social development; she asked whether ILO was collaborating with the Economic and Social Council in that respect and whether the IPEC programme was helping to reduce the number of children in the world who were working. Did WHO have any plans in the short term to launch a mental health programme for adolescents, particularly with a view to preventing suicide? And had it established indicators for assessing the mental health of adolescents as it had done for their physical health?

29. Ms. KARP said she wished to know whether WHO regarded the maltreatment of children within the family and corporal punishment as a health problem. Did WHO take such questions into account when drawing up and subsequently evaluating its various country programmes, such as mother and child programmes? Had WHO developed prevention programmes based on public education to combat such phenomena? What criteria would be used by the NGO Group to select the children who would be taking part in the Yokohama Congress against Commercial and Other Forms of Sexual Exploitation of Children? Would the children chosen be victims of commercial sexual exploitation?

30. Ms. TIGERSTEDT-TÄHTELÄ requested up-to-date information regarding the revision of ILO Convention No. 103 concerning Maternity Protection (1952).

31. Ms. MILLER (UNICEF) considered that it was very important for the draft outcome document of the special session of the General Assembly to cover the situation of children both in the industrialized countries and in the developing countries. The former countries had very much taken to heart the process of evaluating progress made with a view to achieving the objectives of the World Summit for Children: for them it was an opportunity to take stock of the assistance they were giving to the developing countries and of the impact of their national policies on children's welfare.

32. The draft outcome document "A world fit for children" had been drawn up by the bureau of the preparatory committee for the General Assembly's special session and reflected the opinions of Governments and the bureau. The document should address the industrialized countries and make reference to their development assistance policies.

33. At its meetings, the preparatory committee would deal particularly with the prevention of juvenile delinquency which was a major problem in the industrialized countries. That subject would be taken up in the 10-point programme of action being drawn up in collaboration with the NGO Group for the Convention.

34. As part of the United Nations reform process, there was now greater cooperation among the specialized agencies and between them and various partners. No decision was taken without consulting Governments and, increasingly, NGOs.

35. The Committee could make its contribution to the work of UNICEF by participating in the regional preparatory meetings. Where scheduled conferences did not deal solely with the rights of children, UNICEF intended to steer the participants in various discussion meetings towards such questions. Four meetings would be held in the coming months: a consultation organized by the Southern Africa Development Community; a preparatory meeting for the Ministerial Consultation on Children, scheduled for 14-16 May 2001 in Beijing; the Special African Summit of Heads of State and Government on HIV/AIDS; the Arab High-level Conference on Children, for the Middle East and North African region.

36. Ms. SORGHO-OUEDRAOGO (ILO) said that she would soon be sending the Committee details of the content of the IPEC programme. Three countries had launched a multi-stage programme under which they were committed to cutting the number of children working in mines and agriculture by 80 per cent in five years, and to reducing the sexual exploitation of children. Programmes of that sort had so far been launched in only three countries because they required very extensive prior analysis and considerable financial resources. Another path taken had been to regroup a certain number of modest, scattered programmes into more ambitious subregional programmes with more visible impact. It had been ascertained that some very encouraging experiments had not received much notice, and accordingly a third approach had been to find ways of getting the media and other channels of information, both national and regional, to report on every experiment that had been successful.

37. Cooperation with the other bodies within the United Nations system was developing apace and ILO was now in almost daily contact with its partners, the chief advantage of which was the avoidance of duplication. It was thus working with UNICEF on data collection, and was involved in a joint study and research project with UNICEF and the World Bank on child labour. Although it was true that IPEC had always focused on legislation and consciousness-raising, an increasing number of IPEC initiatives were incorporating economic and social development policies. In fact, a meeting was scheduled with the World Bank to take up the issue of combating child labour as part of the fight against poverty.

38. In 2000, some 100 projects had enabled 260,000 minors to be withdrawn from the labour market. In 2001, statistics for over 30 countries would be available for consultation on the ILO Web site. The international community must be patient because the data collection methodology on child labour had been put in place only in 1998 and the collection process was a long one, since at least nine months elapsed between the start of data collection and the receipt of the raw data, which then had to be analysed in order to be usable.

39. The question of revising ILO Convention No. 103 concerning Maternity Protection had been taken up in the ILO report to the special session of the General Assembly, which would be transmitted to the Committee along with specific information on the matter. Further information might subsequently be available on the ILO Web site.

40. Mr. STAHLHOFER (WHO) said that his organization was engaged in many joint projects with UNICEF and the World Bank, and had begun to work with ILO. A great many activities were planned in the area of mental health, and a report on the matter, containing many references to the Convention on the Rights of the Child and extensive coverage of the issues of stigmatization and discrimination, was in the process of completion and should be issued very shortly.

41. In December 1999, WHO had organized a seminar on corporal punishment and sexual violence to increase the awareness of its personnel and to consider ways in which WHO could help to combat such practices. The point was still being discussed. WHO had a programme for the prevention of family violence, and its regional offices did a great deal of work in that field; the Regional Office for Europe, specifically, had set up a major programme for the prevention of neglect and violence and drawn up guidelines on the question.

42. Ms. THEYTAZ-BERGMAN (NGO Group for the Convention on the Rights of the Child) said that some 100 children would take part in the Second World Congress against Commercial and Other Forms of Sexual Exploitation of Children; 70 would be selected by the NGO Group, with the others chosen directly by the Japanese Government. The children taking part in the Congress would be expected to be fluent in one of the official languages and have a certain familiarity with the problem, either as former victims of sexual exploitation or as activists.

The meeting rose at 12.05 p.m.